

1937

## c 7 Voters' Lists Act

Ontario

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## CHAPTER 7.

## The Voters' Lists Act.

## INTERPRETATION.

## 1. In this Act,—

Interpre-  
tation.

- (a) "Board" shall mean election board; "Board."
- (b) "Judge" shall mean judge of the county "Judge."  
or district court of the county or district  
and shall include a junior or acting judge, but  
shall not include a deputy judge;
- (c) "Prescribed" shall mean prescribed by this "Pre-  
Act or by regulations made under the scribed."  
authority of this Act;
- (d) "Voter" shall mean a person entitled to be "Voter."  
a voter, or to be named in the voters' list  
as qualified to be a voter either at an election  
of a member of the Assembly or at any muni-  
cipal election, as the case may be. R.S.O.  
1927, c. 7, s. 1.

## RULES AND FORMS.

2.—(1) The Lieutenant-Governor in Council may prescribe Rules and  
rules and forms of procedure for the purpose of better carrying forms.  
out the provisions of Parts I and II of this Act, and such rules  
and forms shall have the same effect and force as if they  
formed part of this Act. 1937, c. 81, s. 2.

(2) The forms in Schedule A to this Act may be modi-Forms.  
fied or varied, but any such modification or variation shall  
be subject to the approval of the judge. R.S.O. 1927, c. 7, s.  
2 (2).

## APPLICATION OF PARTS I, II, III, IV, AND V.

3.—(1) Parts I and III shall apply to towns, townships, Application  
villages and except as varied by Part II, to cities. Parts I and  
III.

Part II.

(2) Part II shall apply to every city in which a by-law shall have been passed for taking the assessment at any time prior to the 30th day of September, and fixing separate dates for the return and final revision of the assessment rolls for each ward or subdivision of a ward, as defined in the by-law.

Part V.

(3) Part V shall apply to every part of Ontario, including Indian Reserves, not comprised in an organized municipality.

Territory  
without  
assessment  
roll.

(4) Territory comprised in a newly organized municipality for which there is no assessment roll shall for the purposes of subsection 3 be deemed to be still a portion of Ontario not comprised in an organized municipality.

Where list  
destroyed  
by fire or  
accident.

(5) Wherever through accident, fire or otherwise a municipality has no assessment roll or voters' list prepared under Part I or II, such municipality shall for the purposes of this Act be deemed to be a part of Ontario not comprised in an organized municipality. R.S.O. 1927, c. 7, s. 3.

*(See Part IV for the preparation and revision of the voters' lists for elections to the Assembly in cities and separated towns having a population of 10,000 or more and in townships bordering on a city having a population of 100,000 or more.)*

Returning  
officer to act  
on receipt of  
telegram in  
lieu of actual  
receipt of  
writ.Rev. Stat.,  
c. 8.

4. Notwithstanding anything contained in this Act or *The Election Act*, or any regulations passed pursuant to either of the said Acts, a returning officer in any electoral district, on being advised by the Clerk of the Crown in Chancery by telegraph that a writ for the holding of an election to the Assembly has been directed to him, shall forthwith commence his duties as prescribed by the said Acts and regulations, without waiting until he actually receives the said writ. 1933, c. 67, s. 13.

## PART I.

### LIST OF VOTERS AND COPIES.

List of voters  
in three  
parts.

5.—(1) The clerk of each municipality shall, immediately after the final revision and correction of the assessment roll in every year, make a correct list for each polling subdivision of the municipality in three parts (Form 1) of all persons appearing by the assessment roll or by the supplementary roll prepared by the assessor, to be voters.

Alphabetical  
or by street  
numbers.

(2) The list shall be made up alphabetically except in the case of a city, the council of which has by resolution directed that the list be made up in order of street numbers.

(3) The first of the three parts shall contain the names First part of all persons appearing by the assessment roll to be voters at both provincial and municipal elections.

(4) The second part shall contain the names of all persons, Second part. appearing by the assessment roll to be voters at municipal elections, but not at provincial elections.

(5) The third part shall contain the names of all persons Third part. appearing by the assessment roll or by the supplementary assessment roll to be voters at provincial but not at municipal elections.

(6) In a municipality containing a population of not more When third part to be printed. than 3,500, the third part of the list shall be printed with the first and second parts but in other municipalities the third part need not be printed and in that case the clerk of the municipality shall prepare three copies of the third part and deposit the same in the office of the clerk of the peace.

(7) The clerk of the peace shall furnish copies of the third Clerk of peace to furnish copies of third part. part or permit the inspection thereof, under the like circumstances and upon payment of the like fees as in the case of other documents kept or filed in his office.

(8) The name of the same person shall not be entered more Name to be entered once only on first or second part. than once on the first or second part of the voters' list except that, in the case of a municipality divided into wards, the name of the same person shall be entered upon the list as Exception. qualified to vote at municipal elections in every ward in which he is assessed for a sufficient amount to qualify him so to vote.

(9) Where a municipality is divided into polling subdivi- List for polling subdivisions. sions, lists shall be made for each subdivision. R.S.O. 1927, c. 7, s. 4 (1-9).

(10) In the case of a person who is a municipal elector Entering name of husband or wife of person rated. by reason of being the wife or husband of the person rated or entitled to be rated for land as provided by *The Municipal Act*, or by reason of being a farmer's daughter, the clerk shall Rev. Stat., c. 266. opposite the name of such person, in the proper column, insert the letters "M.F.N.C." meaning that such person is entitled to vote at municipal elections, but is not to be counted for the purpose of determining representation in the county council. R.S.O. 1927, c. 7, s. 4 (10); 1932, c. 53, s. 1 (1).

(11) Where the qualification of a person to be a voter at Where qualification in respect of real property. a municipal election is in respect of real property, the clerk shall opposite the name of such person, insert in the proper



column the number of the lot or other proper description of the parcel of real property in respect of which such person is so qualified adding thereto where the person is so qualified in respect of more than one lot or parcel, the words "and other premises." R.S.O. 1927, c. 7, s. 4 (11).

Farmer's son  
and farmer's  
daughter.

(12) In the case of a person being a farmer's son or a farmer's daughter, the clerk shall insert opposite the name, in the proper column, the words "Farmer's Son" or "Farmer's Daughter" or the letters "F.S." or "F.D." as the case may be. 1932, c. 53, s. 1 (2).

Entry  
where voters  
assessed in  
several  
divisions of  
same ward.

(13) Where a ward is divided into polling subdivisions, and it appears by the assessment roll that a person is assessed in each of two or more polling subdivisions for property sufficient to entitle him to be a voter at a municipal election, the clerk shall enter his name in the list for one subdivision only, and shall insert opposite his name the words "and other premises," and where to the knowledge of the clerk the person resides in one of the subdivisions, his name shall be entered on the list for that subdivision.

Provision  
where  
property  
partly in one  
subdivision  
and partly  
in another.

(14) Where it appears by the assessment roll that a person is assessed for property within the municipality sufficient to entitle him to be a voter at a municipal election, but that the property lies partly within one subdivision and partly within another or others, the clerk shall enter the name of such person on the list of voters in only one of the subdivisions in which the property is situate, with the following words added: "Partly qualified in subdivision No. ...." R.S.O. 1927, c. 7, s. 4 (13, 14).

Entry in list  
of person  
assessed as  
freeholder  
or tenant.

(15) Where the word "Owner" or the letter "O," or the word "Tenant" or the letter "T," appears in the assessment roll opposite the name of a person entitled to be entered on the list, such word or letter shall be placed opposite the name of such person.

When assess-  
ment roll to  
be regarded  
as finally  
revised.

Rev. Stat.,  
c. 272.

(16) Where no appeal is made from the court of revision of the municipality to the judge as provided by *The Assessment Act*, the assessment roll shall be deemed to be finally revised and corrected when the time within which an appeal may be made has elapsed, and where an appeal is made, when the assessment roll has been revised and corrected by the judge.

Entries  
of those  
qualified as  
jurors.

(17) The clerk in making out the voters' list shall in a separate column provided for the purpose, write or mark the letter "J" upon the voters' list opposite the name of

every male person over twenty-one and under sixty years of age, who by the roll appears to possess the property qualification required to qualify him to serve as a juror, and such voters' list shall show at or near the end of the second part, the aggregate number of names of persons upon such lists qualified to serve on juries, and in the case of cities and towns such list shall give the same information for each ward. R.S.O. 1927, c. 7, s. 4 (16-18).

(18) In cities and towns the clerk shall in a separate column of the voters' list write or mark the letter "S" opposite the name of every person who in the assessment roll is shown as a separate school supporter and also after the name of the wife or husband of every such person if such wife or husband is shown by the roll to be a Roman Catholic. 1933, c. 67, s. 2.

Entries of separate school supporters.

6.—(1) In the case of a municipality in which the assessment roll is not returnable before the 30th day of September the clerk, immediately after the return of the roll, and without waiting for the revision and correction thereof by the court of revision or the judge, shall make out a list of all persons appearing by the roll to be voters, and subject to the provisions of section 5 shall within thirty days after the return of the roll, cause two hundred copies of the list to be printed in pamphlet form, and shall post up and otherwise deal with the list, as provided by section 8.

Preparing voters' list in municipalities where roll not returnable before 30th September.

Copies.

(2) A larger number of copies may be printed if the council shall so direct.

Idem.

(3) The list so made shall be deemed the list of voters which is subject to revision by the judge under section 12, and the provisions of this Act which have reference to the list mentioned in the said section shall apply to the list provided for by this section.

Revision of list by county judge.

(4) The time for giving notice of any complaint to be made to the judge under section 13 with respect to a list prepared under this section shall be twenty-one days after the clerk has posted up the list.

Time for giving notice of complaints.

(5) The list prepared under this section shall be finally revised, corrected and certified by the judge within one month after the last day for making complaints.

Time for completion of lists.

(6) In case the assessment roll of a city or town to which this section applies is not finally revised before the time limited for the final revision, correction and certifying of the list by the judge, and upon appeal from the court of revision

Correction of voters' list after revision of roll.

alterations are made by the judge in the assessment roll affecting the right of any person to be entered on the list, the judge shall forthwith after the final revision of the roll, make out a list of such alterations and deliver the same to the clerk, who shall make corresponding changes in the certified copies of the revised list, and the judge shall initial the same. R.S.O. 1927, c. 7, s. 5.

Entry of  
P.O. address  
of voter.

7.—(1) The clerk of every township municipality, in making out the list shall insert therein a schedule (Form 1) containing the name, numbered consecutively, of every post office which by the assessment roll appears as the address of any person entered on the list, and in making out the list, shall, according to the form and in the proper column therefor, insert opposite the name of every voter entered on the list the consecutive number which according to the schedule is his post office address, so far as the address appears by the assessment roll, or is within the knowledge or belief of the clerk, but no appeal or complaint on the ground of any error, mistake or omission in or from the list in respect of any matter or thing by this section directed to be inserted therein, shall be made or allowed by or under this Act.

Entry of  
non-resident  
voter in  
polling  
subdivision  
other than  
where  
qualified.

(2) Where it appears by the assessment roll of a township that a person who is not resident in the township is entered upon the assessment roll and assessed for sufficient property to entitle him to vote at municipal elections in the township, such non-resident person at any time after the revision of the assessment roll and before the printing of the voters' list by the clerk, may give notice in writing signed by him and verified by a statutory declaration, to the clerk requesting that the name of such non-resident person be entered on the voters' list for some other polling subdivision in the township than that in which he is so assessed, and thereupon the clerk may enter the name of such non-resident person on the list for any other polling subdivision so designated and after the name of such non-resident person shall enter the property in respect of which he is qualified to vote and the polling subdivision in which the same is situate. R.S.O. 1927, c. 7, s. 6.

Printing and  
distribution  
of list.

8. Immediately after the clerk has made the list, and within forty days in a city and in other municipalities within thirty days after the final revision and correction of the assessment roll, the clerk shall cause at least two hundred copies of the first and second parts of the list, and in a municipality having a population of not more than 3,500, the third part of the list to be printed in pamphlet form, and forthwith shall cause one of the printed copies to be posted up and to be kept posted up in some conspicuous place in his office, and deliver or transmit by post fifteen copies to the clerk of the



peace and two copies of the printed list to each of the following persons,—

- (a) each judge of the county or district court of the county or district to which for judicial purposes the municipality belongs;
- (b) the head and every member of the municipal council of the municipality;
- (c) the sheriff;
- (d) the clerk of the division court within whose division the municipality is partly or wholly situate;
- (e) every postmaster in the municipality;
- (f) in a town, township or village every head teacher of a public or separate school in the municipality or the secretary or secretary-treasurer of the school board by which such teacher is employed;
- (g) the registrar of deeds;
- (h) the clerk of the council of the county in which the municipality is situate;
- (i) the member of the House of Commons for the electoral district in which the municipality or any part thereof lies;
- (j) the member of the Assembly for the electoral district in which the municipality or any part thereof lies;
- (k) every candidate for whom votes were given at the then last election of a member of the House of Commons and for the Assembly, respectively, for the electoral district in which the municipality or any part thereof lies, if such candidate requests the same in writing before the 1st day of July in each year. 1936, c. 64, s. 3, *part*; 1937, c. 81, s. 3 (1).

9.—(1) Upon each of the copies of the first part so delivered or sent there shall be a certificate (Form 2), over the name of the clerk, stating that the list is a correct list of all persons appearing by the last revised assessment roll to be voters at provincial and municipal elections, and upon each of the copies of the second part so delivered or sent there shall be a certificate (Form 3), over the name of the clerk, stating

Certificate  
of clerk.



that the list is a correct list of all persons appearing by the last revised assessment roll to be voters at municipal elections only, and such certificates shall contain clauses calling upon all voters to examine the lists, and to take immediate proceedings to have omissions or errors corrected according to law.

Endorse-  
ment of date.

(2) Upon the outside or cover of each of the copies so sent shall be printed or written conspicuously the date of the posting up of the list thus:—

“This list was posted up in the Clerk’s Office  
on the        day of (*fill in date*),        19 .”

R.S.O. 1927, c. 7, s. 8.

Posting up.

**10.**—(1) The sheriff shall immediately upon receipt of his copies cause one of them to be posted up in a conspicuous place in the court house, the clerk of the peace, upon receipt of his copies, shall cause one of them to be posted up in a conspicuous place in his office, every head teacher of a public or separate school shall post up one copy on the door of the school house and every postmaster shall post up one copy in his post office.

Duty of  
secretary-  
treasurer as  
to posting  
list.

(2) Where copies of the list have been sent to the secretary or secretary-treasurer of a school board instead of to the head teacher of a public or separate school, such secretary or secretary-treasurer shall act in place of the head teacher, and shall post up one copy of the list on the door of every school house under the control of the board. R.S.O. 1927, c. 7, s. 9.

Notice of  
transmission  
and posting  
up of list.

**11.** The clerk shall also forthwith cause to be inserted at least once in a newspaper published in the municipality or in case none is published therein, then in a newspaper published either in the nearest municipality in which one is published, or in the county or district town, a notice (Form 4) signed by him, which shall state that he has delivered or transmitted the copies of the list as directed by this Act, and the date of the first posting up of the list in his office, and the last day for entering appeals. R.S.O. 1927, c. 7, s. 10.

#### REVISION OF FIRST AND SECOND PARTS OF LIST BY COUNTY JUDGE.

Revision  
of list by  
judge.

**12.**—(1) The first and second parts of the lists shall be subject to revision by the judge at the instance of any voter who complains that the names of voters have been omitted from the list, or wrongly stated therein, or that the names of persons who are not entitled to be voters have been entered on either of the said parts and the following provisions of this

Part and of Part II, so far as the same are applicable, shall apply to the revision of the first and second parts of the list.

(2) Upon such revision the finally revised assessment roll shall not be conclusive evidence in regard to any matter. Assessment roll not conclusive

(3) Upon such revision no person shall be disentitled to have his name entered on the list by reason of his having omitted to make, sign or deliver any statement or affidavit required by *The Assessment Act*, or of his name not having been entered on the assessment roll. Idem. Rev. Stat., c. 272.

(4) The decision of the judge, in regard to the right of any person to vote, or as to the right to enter on or strike from the list the name of any person as a voter, shall be final. Judge's decision final.

(5) In the case of a list for a town, village or township, the judge shall receive as evidence in support of an application to have the name of a person entered on the list, the affidavit of such person or of some other person who has, and deposes that he has, personal knowledge of the matter set forth in the affidavit (Form 5), if the affidavit is made not earlier than the tenth day next preceding the last day for making complaints to the judge and is delivered to the clerk before the time for making complaints has expired. R.S.O. 1927, c. 7, s. 11. When evidence by affidavit receivable.

**13.—**(1) Any voter whose name is entered on or who is entitled to have his name entered on the list for the municipality shall have the right for all purposes of this Act, upon giving notice in writing (Form 6) within twenty-one days after the clerk has posted up the list in his office, to apply, complain or appeal to have his own name or the name of any person corrected in, entered on or removed from the first or second part of the list. R.S.O. 1927, c. 7, s. 12 (1). Who may appeal or complain.

(2) Any person who has acquired the qualification entitling him to vote at a municipal election before the time for giving the notice of appeal to the judge has expired, shall be deemed to be a person entitled to be entered on the list, and if entered thereon, he shall be entered also on the assessment roll, and shall be assessed for his property if not already assessed therefor, without any request on his part, and the judge and clerk shall for the purposes of such assessment have the powers and perform the duties mentioned in section 38. R.S.O. 1927, c. 7, s. 12 (2); 1936, c. 64, s. 4. Persons who have acquired qualification before time for giving notice has expired.

(3) A person whose name is entered on the first or second parts of the list and has before the time for giving notice of appeal to the judge has expired, ceased to possess the qualification. Complaint that person named on list has lost qualification.

fication in respect of which his name was so entered, on complaint being duly made under section 15, shall be deemed to be wrongfully entered on the list and subject to the provisions of section 17, his name shall be removed therefrom. R.S.O. 1927, c. 7, s. 12 (3).

Powers of  
judge.

**14.** The judge may, without a previous notice of appeal or complaint, on an application made by or on behalf of any person entered on the first or second part of the list, correct any mistake which shall appear to have been made in compiling the list in respect of the name, place of abode, qualification, or of the local or other description of the property of a person entered on the list, and with respect to whose right to be so entered an appeal or complaint is pending before the judge. R.S.O. 1927, c. 7, s. 13.

Proceedings  
on complaint  
of errors  
in list.

**15.—(1)** A voter making a complaint in respect of the list shall, within twenty-one days after the clerk has posted up the list in his office, give to the clerk or leave for him at his residence or place of business, notice in writing (Form 6) of his complaint.

Vacancy  
in office of  
clerk.

(2) If the office of clerk is vacant, the notice may be given in like manner to the head of the council of the municipality, and he shall perform all the duties of the clerk.

Procedure  
as in appeal  
from court  
of revision.

(3) The proceedings thereafter by the judge, clerk and the parties respectively, and the powers and duties of the judge, clerk and other persons and the allowances and expenses payable to the judge shall be the same, as nearly as may be, as in the case of an appeal from the court of revision under *The Assessment Act*; but no deposits shall be required. (See Forms 6-11.) R.S.O. 1927, c. 7, s. 14 (1-3).

Rev. Stat.,  
c. 272.

Distribution  
of list of  
appeals.

(4) The clerk shall forthwith after posting up the list of appeals in his office, deliver or transmit by post, by registered letter, or by parcel post registered, one copy of the list to the judge and to the clerk of the peace and to each of the persons described in clauses *b*, *i*, *j*, and *k* of section 8. 1937, c. 81, s. 4.

Compelling  
attendance  
of witnesses.

**16.—(1)** Any person may obtain from the county or district court of the county or district a subpoena (Form 12), or from the judge an order, requiring the attendance at court for hearing complaints, at the time mentioned in the subpoena or order, of a witness residing or served with the subpoena or order, in any part of Ontario, and requiring the witness to produce any papers or documents mentioned in the subpoena or order, and every witness served with the subpoena or order shall obey the same, provided his expenses



according to the scale allowed in division courts, are paid or tendered to him at the time of service.

(2) Any person in respect of the entry or omission of whose name a complaint is made, shall, if resident within the municipality for or in which the court is held, upon being served with subpœna or order obey the same without being tendered or paid his expenses, and the subpœna or order shall be deemed to have been sufficiently served, Compelling attendance of persons whose right is in question.

(a) if the subpœna or order is served upon him personally; or

(b) where he has a known residence or place of business within the municipality, if a copy of the subpœna or order is left for him with some grown-up person at such residence or place of business; or

(c) where he has a known residence or place of business within the municipality, if a copy of the subpœna or order, at least six days before the sitting of the court, is mailed to him by registered letter, directed to him at the post office address contained in any affirmation made by him under *The Assessment Act*, and where no such affirmation has been made, directed to him at his last known post office address, and also by separate registered letter directed to the post office described as his post office in the voters' list unless such last mentioned post office is his last known post office address, or in the case of cities, towns and villages if no post office is described for him in the voters' list, directed to the post office of such city, town or village; or Rev. Stat., c. 272.

(d) where he is a farmer's son, if a copy of the order or subpœna is left for him with some person at the residence of the farmer whose son he is.

(3) If a person, whose right to be a voter is the subject of inquiry, does not attend in obedience to the subpœna or order, the judge, in the absence of satisfactory excuse being shown for the non-attendance, or of proof of right of the person to be a voter, may, on the ground of his non-attendance, strike his name off, or refuse to enter his name on the list or impose on him a fine not exceeding \$20. or may do both. Penalty for non-attendance.



*Prima facie*  
evidence  
of certain  
facts.

(4) The fact that the name of the person is entered on the last revised voters' list of the electoral district shall be *prima facie* evidence that he is a British subject and twenty-one years of age.

Number  
of names.

(5) The names of any number of witnesses may be inserted in one subpœna or order. R.S.O. 1927, c. 7, s. 15.

When  
qualification  
incorrectly  
stated.

**17.** If on complaint or appeal to strike off the name of any person on the list it appears that the qualification of such person is incorrectly set forth therein, but that he has the qualification necessary to entitle his name to be entered on the list, the judge shall not strike off the name of such person, but shall make such alterations in the list as are necessary to set forth the proper qualifications of such person, and in so doing may, if the name has not been entered on the proper part of the list, enter the same thereon. R.S.O. 1927, c. 7, s. 16

Time within  
which list to  
be revised.

**18** The judge shall so arrange and proceed, and fix the sittings of the court, that all the complaints shall be heard and determined, and the first and second parts of the list finally revised, corrected and certified, within two months from the last day for making complaints. R.S.O. 1927, c. 7, s. 17.

Certifying  
list by clerk  
of the peace  
when no  
complaint  
made.

**19.—(1)** If no complaint is made within twenty-one days after the clerk has posted up the list in his office, he shall forthwith deliver either in person or by letter to the clerk of the peace his report (Form 13), and the clerk of the peace shall thereupon certify (Form 14) a sufficient number of copies of the first and second parts of the list as being the last revised list of persons entitled to be voters at elections to the Assembly as well as at municipal elections, and of persons entitled to vote at municipal elections only in the municipality to furnish one copy of such list to each of the following persons,—

- (a) the judge;
- (b) the clerk of the peace;
- (c) the clerk of the municipality;
- (d) the member of the House of Commons for the electoral district in which the municipality or any part thereof lies;
- (e) the member of the Assembly for the electoral district in which the municipality or any part thereof lies; and

- (f) every candidate for whom votes were given at the then last election of a member for the House of Commons and the Assembly respectively for the electoral district in which the municipality or any part thereof lies. R.S.O. 1927, c. 7, s. 18 (1); 1937, c. 81, s. 5 (1).

(2) The clerk of the peace shall certify each of such copies and shall retain one and shall deliver or transmit by post, one copy to each of the persons mentioned in clauses *a*, *c*, *d*, *e* and *f*, of subsection 1. R.S.O. 1927, c. 7, s. 18 (2); 1937, c. 81, s. 5 (2). Certificate of clerk of the peace.

**20.**—(1) If any complaint is made and allowed by the judge he shall immediately after the list has been finally revised, certify (Form 15) to the clerk a statement of the changes made by him in the list. R.S.O. 1927, c. 7, s. 19 (1). Statement of changes made by judge.

(2) The clerk shall thereupon prepare a sufficient number of copies of the statement of changes made by the judge to furnish one copy for each of the persons mentioned in clauses *a*, *c*, *d*, *e*, and *f* of subsection 1 of section 19, and shall within one week after the revision has been made by the judge transmit or deliver such copies of the statement of changes, together with the certificate of the judge, to the clerk of the peace. Delivery of copies of revised list.

- (a) Such statement shall be made out according to polling subdivisions and shall show the changes made in the list for each polling subdivision. R.S.O. 1927, c. 7, s. 19 (2); 1937, c. 81, s. 6 (1).

(3) The clerk of the peace shall thereupon sign and certify (Form 16) such copies together with a copy of the voters' list received by him from the clerk under the provisions of section 8 and shall return one copy to the clerk and deliver or transmit by registered post one copy to each of the persons mentioned in clauses *a*, *c*, *d*, *e* and *f* of subsection 1 of section 19. R.S.O. 1927, c. 7, s. 19 (3); 1937, c. 81, s. 6 (2). Certificate of clerk of the peace on copies.

(4) Instead of proceeding as provided in subsections 1, 2 and 3, the judge may direct the clerk to prepare a sufficient number of copies of the list as revised by the judge to furnish one copy for each of the persons mentioned in clauses *b*, *c*, *d*, *e* and *f* of subsection 1 of section 19, and the clerk shall within one week after the revision has been made transmit or deliver such copies to the judge, and the judge shall thereupon sign and certify (Form 17) such copies and shall retain one and shall deliver or transmit by post, one copy to each of the persons mentioned in clauses *b* to *f* of subsection 2 of section 19. R.S.O. 1927, c. 7, s. 19 (4), *amended*. Delivery and certification of copies of revised list.

Striking  
off names  
of persons  
dying after  
revision.

**21.**—(1) After the list has been certified and before the nomination day at any municipal election, the judge may, upon the application of a voter, strike from the list the name of any person who has died since the list was certified, and for that purpose the certificate of the Registrar-General or of the division registrar shall be sufficient evidence of death, but if the identity of the person proved to be dead with the person whose name is sought to be struck off is disputed or open to reasonable doubt, proof of the identity shall be required. R.S.O. 1927, c. 7, s. 20 (1).

Procedure.

(2) The proceedings shall be the same as nearly as may be as those which are prescribed for the revision of the list, and the judge and the officers named in this Act shall have the same jurisdiction as in the case of proceedings to revise the list under this Act. R.S.O. 1927, c. 7, s. 20 (2); 1937, c. 81, s. 7.

Effect of  
certified list.  
Rev. Stat.,  
c. 266.

**22.** The certified list shall, under *The Municipal Act* be final and conclusive evidence that all persons named therein, and no others, were qualified to vote at any municipal election at which such list was, or was the proper list to be used except,—

Exceptions.

(a) persons guilty of corrupt practices at or in respect of the election in question, or since the list was certified by the judge;

(b) persons who, subsequent to the list being certified, have ceased to be qualified to vote at a municipal election in the municipality to which the list relates and who by reason thereof are, under the provisions of *The Municipal Act*, disentitled to vote; R.S.O. 1927, c. 7, s. 21, cls. (a, b.)

Rev. Stat.,  
c. 266.

(c) persons whose names are entered on the list under the authority of a certificate issued pursuant to subsection 7 of section 56 of *The Municipal Act*. 1933, c. 67, s. 3.

Rev. Stat.,  
c. 266.

Duty of  
municipality  
to provide  
room.

**23.**—(1) The corporation of the municipality within which a court is to be held shall provide a suitable and convenient place, properly furnished, heated and lighted, for the holding of the court, and in default thereof, the judge may hold the court at such place in the county or district as he may deem proper and if the court is held elsewhere than in the court-house of the county or district, the occupant of the building in which it is held may recover from the corporation the sum of \$5 for each day on which the building was used for the purposes of the court.



(2) Every court held in the county or district town shall be held in the court-house, or in such other place as the judge may deem proper. R.S.O. 1927, c. 7, s. 22. Courts in county towns.

**24.** In all proceedings before the judge he shall have all the powers which belong to or might be exercised by him in the county court. R.S.O. 1927, c. 7, s. 23. Powers of judge.

**25.** The clerk of every municipality shall be subject to the summary jurisdiction and control of the judge in the performance of his duty under this Act, in the same manner as an officer of the county court is to the court. R.S.O. 1927, c. 7, s. 24. Clerk.

**26.—(1)** The clerk shall be entitled to the actual and reasonable disbursements necessarily incurred by him in the discharge of the duties imposed upon him by this Act, and shall also be entitled to the following compensation,— Remuneration of clerk in connection with complaints.

1. five cents for the name of every person entered in the list of complaints;
2. five cents for every name entered in any necessary copy of the list of complaints;
3. five cents for every name entered or other correction made by the judge in the voters' list, and in every copy of the list revised;
4. five cents for every name in the statement of change made by the judge in the list;
5. fifteen cents for every necessary notice to any party complaining or complained against;
6. fifteen cents for every mile necessarily and actually travelled by him in effecting service of a notice of appeal or complaint and in attendance at the hearing of complaints or appeals;
7. five dollars for every day's attendance at the sittings of the court.

(2) The assessor shall be entitled to all reasonable disbursements actually incurred by him in the discharge of any duties imposed upon him under this Act and to an allowance of \$5 per diem for every day's attendance at the court and to fifteen cents for every mile necessarily and actually travelled Remuneration of assessor.



by him to attend at the hearing of complaints or appeals. R.S.O. 1927, c. 7, s. 25.

Appoint-  
ment of  
constable.

**27.**—(1) The judge shall have power to appoint a proper person to attend as constable at the sitting of the court, and the duties and powers of such person shall be as nearly as may be the same as those of a bailiff at a sitting of a division court.

Constable's  
fees.

(2) The person acting as constable shall be entitled to the following compensation,—

1. for every day's attendance, \$4;

2. for every service of any process or notice, including the receipt and return thereof, and all other duties connected therewith when allowed by the judge, a sum not exceeding twenty cents per mile one way for each mile actually and necessarily travelled to effect such service. R.S.O. 1927, c. 7, s. 26.

Payment  
of fees.

**28.** The compensation to which the clerk, assessor and constable are respectively entitled shall be certified by the judge and paid to the clerk, assessor and constable respectively by the treasurer of the municipality upon the production and deposit with him of the judge's certificate. R.S.O. 1927, c. 7, s. 27.

Report by  
judges as to  
frauds, etc.

**29.** If the judge who holds the court is of the opinion that any person has contravened section 43 or section 45, or that frauds in respect to the assessment or the list have prevailed extensively in the municipality, he shall report the same to the Attorney-General, with particulars as to names and facts. R.S.O. 1927, c. 7, s. 28.

Amend-  
ments.

**30.** The judge may amend any notice or other proceeding upon such terms as he may think proper. R.S.O. 1927, c. 7, s. 29.

Substitution  
of new  
appellant.

**31.** If an appellant or complainant dies or abandons his appeal or complaint, or is found not to be entitled to be an appellant, the judge may in his discretion allow any other person who might have been an appellant or complainant to intervene and prosecute the appeal or complaint, upon such terms as the judge may think just. R.S.O. 1927, c. 7, s. 30.

Costs  
occasioned  
by errors.

**32.**—(1) If errors are found in the voters' list on the revision thereof, in the omission of names, the inaccurate

entry of names, or the entry of names of persons not entitled to vote, and it appears to the judge that the assessor or clerk was blamable for any of the errors, the judge may order (Form 18) the assessor or clerk respectively, to pay all costs occasioned by such errors.

(2) In case of errors for which the court of revision is blamable, the judge may order the municipality to pay the costs occasioned by such errors. Order for payment by municipality.

(3) In all cases not herein provided for, the costs shall be in the discretion of the judge. Discretion of judge. R.S.O. 1927, c. 7, s. 31.

**33.** The costs to be allowed on any proceeding under this Act shall be according to the lowest scale of costs in an action in a division court. Scale of costs. R.S.O. 1927, c. 7, s. 32.

**34.** An unsuccessful appellant or complainant shall be liable to pay the witness fees only, unless in the opinion of the judge, the complaint or appeal is frivolous or vexatious, or has not been made in good faith, when the judge may order the appellant or complainant to pay in addition any other costs allowed by section 33. Liability of appellant for costs. R.S.O. 1927, c. 7, s. 33.

**35.** Payment of costs may be enforced by an execution (Form 19) against goods and chattels, to be issued from the division court of the division within which the municipality or part thereof is situate, upon filing therein the order of the judge, and an affidavit showing the amount at which the costs have been allowed and the non-payment thereof. Enforcing payment of costs. R.S.O. 1927, c. 7, s. 34.

#### REFERENCE TO COURT OF APPEAL.

**36.—**(1) In order to facilitate uniformity of decision without the delay and expense of appeals,— Stating case for opinion of court of appeal.

(a) a judge may state a case on any question arising or likely to arise, and may transmit the same to the Lieutenant-Governor in Council, who may immediately refer the same to the Court of Appeal for the opinion of the Court; or

(b) the Lieutenant-Governor in Council may state a case on any such question to the Court of Appeal for a like opinion.

(2) Immediately upon receipt of the case it shall be the duty of the Court to appoint a time and place for hearing Fixing time and place of hearing argument.

argument, of which written notice shall be given by the registrar of the Court of Appeal posting up a copy of the notice in the Central Office at Osgoode Hall, in Toronto, at least ten clear days before the time appointed.

Hearing.

(3) At the time appointed the Court shall hear the argument by such of the counsel present as the Court may think fit to hear, and shall certify to the Lieutenant-Governor in Council the opinion of the Court thereon, and the opinion shall forthwith be published in the *Ontario Gazette*, and a copy of the opinion shall forthwith be sent to the judge of every county and district court. R.S.O. 1927, c. 7, s. 35.

Opinion  
at instance  
of voter.

**37.** The Court of Appeal may also give an opinion on any question at the instance of any voter, if the Court sees fit and the proceedings with respect thereto shall be, as nearly as may be, the same as upon a case referred; but the Court or a judge thereof may require a deposit of money to cover the costs of hearing the question argued by counsel, and may require notice of the proceedings, or any of them, to be given to such person as the Court or judge may direct. R.S.O. 1927, c. 7, s. 36.

#### LIABILITY FOR TAXES OF PERSONS WHOSE NAMES ARE ADDED.

Liability  
of persons  
whose names  
are added  
to roll on  
revision.

Rev. Stat.,  
c. 272.

**38.** If any person who is found entitled to be a voter at municipal elections is not assessed, or is insufficiently assessed, the judge shall enter the name of such person on the roll together with the other particulars required by *The Assessment Act* to be set opposite the name of the person assessed including the value of the property in respect of which the assessment is made, which shall be determined by the judge, and corresponding corrections shall be made by the clerk in the collector's roll. R.S.O. 1927, c. 7, s. 37; 1936, c. 64, s. 6.

#### FAILURE OF CLERK TO PERFORM HIS DUTIES.

Lists not  
vitiated by  
failure of  
clerk to per-  
form duties.

**39.** The non-performance by the clerk of any of his duties under this Act within the times appointed shall not affect the validity of any list. R.S.O. 1927, c. 7, s. 38.

Summary  
application  
to enforce  
performance  
of duties.

**40.—(1)** In case the clerk fails to perform any of his duties, the clerk of the peace shall forthwith apply summarily (Form 20) to the judge to enforce the performance of the same.

Application  
by voter.

(2) The application may also be made by any voter.



(3) The judge shall require (Form 21) the clerk and any other person he sees fit to appear before him and produce the assessment roll, and any documents relating thereto, or to the list, and to submit to examination on oath, and may thereupon make such order and give such directions as he may deem proper. Proceedings by judge.

(4) The clerk shall pay the costs of the proceedings, unless on special grounds the judge shall otherwise order, in which case the judge may direct how and by whom the costs shall be paid. Liability of clerk for costs.

(5) The proceedings and order of the judge shall not relieve the clerk from the penalty hereinafter imposed. Clerk's liability to penalty. R.S.O. 1927, c. 7, s. 39.

**41.** If the clerk omits, neglects or refuses to perform any of the duties hereinbefore required of him, for such omission, neglect, or refusal, he shall incur a penalty of \$200. Penalty for neglect of duties by clerk. R.S.O. 1927, c. 7, s. 40.

**42.** The wilful alteration of, omission from, incorrect entry in, or falsification of a certified list or copy thereof shall be an offence, and any clerk of a municipality, clerk of the peace or other person who commits such offence, or wilfully permits the same to be committed, shall incur a penalty of not less than \$500 nor more than \$2,000 and in addition thereto may be imprisoned for a period not exceeding three months. Penalty for wilfully falsifying lists. R.S.O. 1927, c. 7, s. 41.

#### COLOURABLE TRANSFER OF PROPERTY.

**43.—(1)** No person shall be a party to any instrument or to any verbal arrangement, whereby a colourable qualification is conferred or sought to be conferred upon himself or any other person in order to enable him to become a voter. Colourable transfer of property in order to confer vote.

(2) Any person violating the provisions of this section, beside being liable to any other penalty prescribed in that behalf, shall incur a penalty of \$100. Penalty.

(3) Any person who induces or attempts to induce another to commit an offence under this section shall incur a like penalty. Procuring commission of offence. R.S.O. 1927, c. 7, s. 42.

#### CREATION OF FALSE VOTES.

**44.** To prevent the creation of false votes, where a person claims to be assessed, or to be entered or named in an assessment roll, or claims that another person should be assessed, Inquiries by assessor.



entered or named in an assessment roll so as to entitle him to be a voter, and the assessor has reason to suspect that the person so claiming, or for, or in respect to whom the claim is made, ought not to be so assessed, or so entered or named in the roll, it shall be the duty of the assessor to make reasonable inquiries before assessing, entering, or naming any such person in the assessment roll. R.S.O. 1927, c. 7, s. 43.

Improper  
insertion  
of name  
in roll.

**45.** Any person who wilfully and improperly enters or procures or causes to be entered the name of a person in an assessment roll, or assesses or procures or causes the assessment of a person at too high an amount, with intent to give to a person not entitled thereto, either the right or an apparent right to be a voter, or who wilfully enters or procures or causes to be entered a fictitious name in an assessment roll, or who wilfully and improperly omits, or procures or causes to be omitted the name of a person from the assessment roll, or assesses or procures or causes the assessment of a person at too low an amount with intent to deprive a person of his right to be a voter, shall incur a penalty of \$200. R.S.O. 1927, c. 7, s. 44.

#### RECOVERY OF PENALTIES AND FINES.

Recovery  
of penalties.

**46.** Any penalty mentioned in sections 41 to 45 shall be recoverable upon summary conviction before a magistrate or the judge of a county or district court. R.S.O. 1927, c. 7, s. 45.

#### INSPECTION AND COPIES OF DOCUMENTS.

Right to  
inspect and  
copy assess-  
ment rolls,  
etc.

**47.** A voter, and an agent of a voter may, at all reasonable times and under reasonable restrictions, inspect and take copies of or extracts from assessment rolls, notices, complaints, applications and other documents and proceedings necessary or of use for carrying out of the provisions of *The Municipal Act*, *The Assessment Act*, or of this Act, and the clerk for the said purposes shall accord all reasonable facilities which may be consistent with the safety of the documents, and the rights and interests of all persons concerned, and shall in regard to the matters aforesaid be subject to the direction of the judge. R.S.O. 1927, c. 7, s. 46.

Fees for  
copies of  
lists.

**48.** The fees payable to the clerk of the peace and to the clerk of the municipality for furnishing copies of a list or any part of a list shall be those fixed by the Lieutenant-Governor in Council under the authority of *The Election Act*. R.S.O. 1927, c. 7, s. 47.

Rev. Stat.,  
c. 8.

## PART II.

## PREPARATION OF WARD LISTS.

**49.** Immediately after the return by the assessor of the assessment roll for any ward or subdivision of a ward, and without waiting for the revision and correction of the roll by the court of revision or by the judge, the clerk of every city to which the provisions of this Part apply, shall prepare and print the first and second parts of the voters' list and shall prepare the third part of the voters' list for such ward or subdivision in the manner prescribed by Part I. R.S.O. 1927, c. 7, s. 48.

Preparation  
of list where  
roll returned  
and revised  
by wards.

**50.**—(1) Forthwith after the preparation and printing of the last of such lists the clerk shall post up and distribute each of the lists for each ward or subdivision in the manner prescribed by Part I, and forthwith after the clerk has posted up the lists in his office, he shall cause a notice to be inserted once a week for three weeks in such daily newspapers published in the city as may be directed by the judge, calling upon persons who are aware of errors or omissions in the lists, or of changes which have been rendered necessary by reason of the death or removal of any person named therein, or by reason of any person having acquired the necessary qualifications as a voter since the return or final revision of the assessment roll for any such ward or subdivision of a ward to give notice of the same, and shall name a time and place at which the judge will hold a court for revising the lists for the whole city.

Posting up  
and distri-  
buting lists.

Notice  
of court  
for hearing  
complaints.

(2) The time for making complaints as to errors or omissions in the lists shall be within fifteen days after the first publication of the notice. R.S.O. 1927, c. 7, s. 49.

Time  
for making  
complaints.

**51.** The judge shall so arrange and proceed, and so fix the sittings of the court for hearing complaints against or in respect of the lists that the complaints shall be heard and determined and the lists finally revised and certified in the manner provided by Part I, within ten days after the last day for making complaints and in any case before the 10th day of December. R.S.O. 1927, c. 7, s. 50.

Time for  
final revision  
of lists.

**52.** If no complaint respecting any of the lists is received by the clerk within fifteen days after the first publication of the notice the clerk shall forthwith apply to the judge to certify three copies of each of the lists as being the last revised list of voters for the ward or subdivision, and the judge shall certify such three copies and retain one, and

Certifying  
list where no  
complaint  
made.

deliver, or transmit by post, registered, one to the clerk of the peace, and one to the clerk of the municipality, to be kept by him among the records of his office. R.S.O. 1927, c. 7, s. 51.

Procedure  
where com-  
plaints are  
made.

**53.**—(1) If any complaint is made as aforesaid with respect to any of the lists within such period, the judge shall proceed as provided by section 20, and sections 21 and 22 shall apply to the list prepared under this Part.

When  
changes  
made in as-  
sessment roll  
subsequent  
to prepara-  
tion of list.

(2) If the assessment roll is not finally revised before the final revision and certifying of the lists by the judge, and upon appeal to the judge from the court of revision alterations are made in the assessment roll affecting the right of any person to be entered on any of the lists, the judge shall forthwith after the final revision of the roll, make out a list of such alterations and deliver the same to the clerk, who shall make corresponding changes in the certified copies of the revised list, and the judge shall initial the same, and a copy of the list of alterations shall be posted up by the clerk in his office. R.S.O. 1927, c. 7, s. 52.

Effect  
of lists as  
completed.

Rev. Stat.,  
c. 266.

**54.** Subject to the provisions of subsection 7 of section 56 of *The Municipal Act*, the lists as so revised, corrected and certified by the judge shall together form from time to time the last revised voters' list for the city within the meaning of this Act, and *The Municipal Act*, and the date fixed by section 52 as the last day for making complaints to the judge shall be deemed to be the last day for making complaints to the judge within the meaning of any oath prescribed by the said Act and such date shall be inserted in any such oath when the voting is upon a list prepared under this Part. R.S.O. 1927, c. 7, s. 53; 1933, c. 67, s. 4.

### PART III.

#### PRINTING AND DISTRIBUTION OF THIRD PART OF VOTERS' LIST AND REVISION OF LISTS FOR PROVINCIAL ELECTION.

Printing  
third part.

**55.**—(1) Where the third part of any voters' list has not been printed but has been deposited with the clerk of the peace, he shall, when directed in writing by the Chief Election Officer, cause the lists so deposited with him to be printed, and shall transmit the same as printed to the clerk of the municipality, who shall post up and distribute the printed copies of the list in the same manner as nearly as may be as



is provided for the posting up and distributing of the printed copies of the first and second parts of the voters' list.

(2) Where the third part is printed by the clerk of the peace under this section it shall not be necessary to include in the said list any particulars except the name of the voter, his place of residence and condition or initials indicating such condition as "married," "unmarried," "widower," "bachelor," *et cetera*. Particulars to be included in list.

(3) The cost of printing shall be borne by the municipality. Cost of printing.

(4) Subject to the provisions of subsection 5, the list to be revised under this Part shall be the first part of the last list finally revised by the judge of the county or district court and the third part of the said list prepared by the clerk of the municipality and filed with the clerk of the peace. List to be revised under this Part.

(5) Where an alphabetical list has been prepared by the clerk of the municipality and printed, distributed and deposited with the clerk of the peace as provided by Part I, but has not been revised by the judge, the board may in its discretion direct the use of the first and third parts of such list, or of either part, in place of the list mentioned in subsection 4. R.S.O. 1927, c. 7, s. 54. Election board may direct use of unrevised list in certain cases.

**56.** As soon as conveniently may be after the issue of a writ for the holding of an election to fill a vacancy in the Assembly, or after the dissolution or expiry of the Assembly, the board shall fix the times and places in every municipality at which sittings shall be held by the revising officer for the purpose of hearing complaints as to the right of any person to be entered on the lists as entitled to vote at elections to the Assembly. R.S.O. 1927, c. 7, s. 55. Board to fix time and place of hearing appeals.

**57.**—(1) The board shall appoint from among their number revising officers to hold sittings in each municipality or part of a municipality included in the electoral district in which an election is to be held, for the revision of the lists for the purposes of the election. Appointment of revising officer.

(2) Wherever practicable, the revising officer so appointed shall be the judge or one of the judges of the county or district court or the acting judge of the said court, but where the county or district forms part of a district formed under *The County Judges Act*, a judge of any county or district included therein may be appointed revising officer in a municipality in the county court district. R.S.O. 1927, c. 7, s. 56. County judge to act if practicable. Rev. Stat., c. 102.



Where  
judge not  
available.

**58.** Where, owing to the number of sittings to be held, or from any other cause, the board finds it impracticable for a judge to act as revising officer, the board may appoint one of their number, being a barrister of at least five years standing, or some other fit and proper person having the like qualification to act as revising officer. R.S.O. 1927, c. 7, s. 57.

Notice of  
sittings of  
revising  
officer.

**59.** The board shall cause notice in the prescribed form to be given by publication in at least two newspapers having a general circulation in the county or district, and by posting up such notice in the office of the clerk of the municipality and in at least two conspicuous places in the municipality or portion of the municipality for which the sittings are to be held, stating the name of the revising officer appointed for each municipality, and the name and place of residence or office of the clerk of the revising officer, and the time and place at which the sittings will be held for each municipality and the last day upon which notice of complaint may be given under this Part, and calling upon all persons to examine the voters' list in order to ascertain that their names are correctly entered therein. R.S.O. 1927, c. 7, s. 58.

Clerk of  
municipality  
to be clerk  
to revising  
officer.

**60.** The clerk of the municipality shall act as clerk to the revising officer, but the board may appoint a clerk to any revising officer where the clerk of the municipality is unable to act. R.S.O. 1927, c. 7, s. 59.

Last day  
for making  
complaint.

**61.** The last day for making complaint to the revising officer shall be not less than two clear days and not more than five clear days before the day fixed for holding the sittings, as the board may direct. R.S.O. 1927, c. 7, s. 60; 1933, c. 67, s. 5.

Right to  
apply.

**62.** Every person who, if he remains a resident in the municipality until the day fixed for holding the poll, and is otherwise qualified as provided by this Act, will be entitled to vote at the election, and whose name does not appear upon the first part of the last revised voters' list, as certified by the judge under Part I, or on the third part of the list as prepared by the clerk, shall be entitled to apply by notice of complaint in the prescribed form to the revising officer to have his name entered upon the list. R.S.O. 1927, c. 7, s. 61.

Who may  
give notice  
of complaint.

**63.—(1)** Any person whose name is entered upon the list, or who is entitled to be so entered, shall be entitled to give notice of complaint as to any person whose name has not been entered on the said first or third parts of the list and who, if he remains a resident of the municipality or electoral

district, will be qualified in other respects to vote at the election, or as to any person whose name has been entered on the list and who is not qualified or who has ceased to be qualified or is disqualified under *The Election Act* or otherwise by law prohibited from voting.

Rev. Stat.,  
c. 8.

(2) The notice of complaint shall be in duplicate and the clerk of the revising officer shall keep one copy of every notice of complaint posted up in his office and shall deliver the other copy to the revising officer. R.S.O. 1927, c. 7, s. 62.

Notice of  
complaint  
to be in  
duplicate.

64. Subject to the provisions of section 55, the clerk of the peace shall deliver to the board three copies of the first part of the list for the municipality as last revised by the judge in the manner provided by this Act, and three copies of the third part as received by him from the clerk of the municipality, or printed by the clerk of the peace, and the said lists shall be subject to revision upon complaint as hereinbefore provided. R.S.O. 1927, c. 7, s. 63.

Delivery of  
last list by  
clerk.

65. The sittings of the revising officer shall be held in the same manner and shall be subject to the same provisions as nearly as may be as the sittings of the judge for the hearing of appeals or complaints under Part I and such provisions shall *mutatis mutandis* apply to the sittings of the revising officer. R.S.O. 1927, c. 7, s. 64.

Procedure  
at sittings.

66.—(1) Where a person by whom or on whose behalf notice of complaint has not been given applies to the revising officer to have his name entered upon the list, and no objection to the want of notice is taken, the revising officer upon being satisfied on oath of such person or of someone having personal knowledge of the facts, that he is qualified to be so entered shall enter the name of such person upon the list.

Entering  
name  
without  
complaint  
in certain  
cases.

(2) The name of any person shall not be removed from the list by the revising officer unless the revising officer is satisfied on oath that due notice of complaint has been given to such person or that such person is dead or has removed from the municipality.

Names not  
to be  
struck off  
without  
notice.

(3) The revising officer shall not remove any name from or add any name to the list or make any other changes therein except upon the evidence under oath of some person who has personal knowledge of the facts. R.S.O. 1927, c. 7, s. 65.

Evidence  
required.

67.—(1) At the close of the sittings, the revising officer shall certify in the prescribed form the lists as revised by him and the list of changes and corrections in the lists in

Certifying  
and deliver-  
ing lists at  
close of  
sittings.

triplicate, and one copy shall be delivered by the clerk of the revising officer to the clerk of the peace, and one copy shall be retained by the clerk of the revising officer and the third copy shall be delivered by the revising officer to the clerk of the board.

List as revised to be proper list.

(2) The lists as so revised and certified shall be the proper lists to be used in preparing the polling lists for the election. R.S.O. 1927, c. 7, s. 66.

Regulations.

**68.**—(1) The Lieutenant-Governor in Council may make regulations,—

- (a) prescribing the forms, notices and other documents to be used for the purposes of this Part;
- (b) respecting the duties of the clerk of the board, the clerk of the peace and the clerks and other officers appointed or acting under this Part;
- (c) respecting the books and other records to be kept of the proceedings of the board and the revising officer;
- (d) fixing the fees to be payable to the board and the revising officer, clerk of the revising officer and clerk of the peace for services performed, and the witness fees and costs payable under this Part, and prescribing the manner in which the same shall be borne and paid;
- (e) fixing the times within which the lists shall be completed and delivered to the clerk of the peace or the revising officers, and the time within which any duty imposed by this Part with reference to the revision of the lists by the revising officer and as to which no other provision is made, shall be performed;
- (f) for giving directions as to any matter in connection with the preparation or revision of lists under this Part which is not expressly provided for therein; and
- (g) generally for the better carrying out of the provisions of this Part.



(2) Any regulation made by the Lieutenant-Governor in Council under this Part shall have the same force as if it had been enacted herein. R.S.O. 1927, c. 7, s. 67. Force of regulations.

**69.** The fees and expenses of the board, the revising officers and clerks, the clerks of the municipalities and the clerks of the peace shall be payable by the municipality, and where lists are being revised for more than one municipality in a county or district, such fees and expenses shall be borne by the various municipalities whose lists are subject to revision in proportion to population and shall be payable to the persons entitled thereto by the treasurer of the municipality upon the presentation of accounts therefor certified by the chairman of the board. R.S.O. 1927, c. 7, s. 68. Fees and expenses,—how paid.

#### PART IV.

#### PREPARATION AND REVISION OF VOTERS' LISTS FOR PROVINCIAL ELECTIONS IN CITIES AND SEPARATED TOWNS (POPULATION, 10,000 AND OVER) AND IN TOWNSHIPS BORDERING ON LARGE CITIES.

1934, c. 63, s. 2 (1).

**70.** In cities and separated towns having a population of 10,000 or more, and in townships bordering on a city having a population of 100,000 or more, the returning officer as soon as convenient after receiving a writ directed to him for the holding of an election, shall group together the polling subdivisions in such cities, towns and townships in the electoral district into as many combined registration and revising districts as circumstances require, subject to the approval of the election board, and shall prepare descriptions of the boundaries of such districts. 1934, c. 63, s. 2 (2) *part*. Polling subdivisions to be grouped into districts for registration of voters and revision subject to approval of Board.

**71.** The returning officer shall forthwith after receipt of the writ of election, appoint in writing for each polling subdivision in the electoral district (Form 22) one or more persons to be enumerators of the voters in each polling subdivision, to compile a list of voters as hereinafter provided, and shall require each of such persons before acting, to take the oath (Form 23). 1934, c. 63, s. 2 (2) *part*. Returning officer to appoint enumerators.

**72.** The enumerators when appointed, shall forthwith after taking their oaths, prepare, by a house to house canvass, a complete list, according to Form 24, under headings of names of streets where possible and in alphabetical order with the Enumerators to prepare lists by house to house canvassing.

street address and occupation of all persons in the respective polling subdivision in the electoral district for which they have been appointed, who are qualified to vote at the election, and the enumerators in preparing the list shall have reference to and make use of Parts I and III of the last revised voters' list for the municipality. 1934, c. 63, s. 2 (2) *part*.

Certification  
and disposition  
of list  
by enumer-  
ators.

**73.** The enumerators immediately after the completion of the lists and not later than four days from the date of their appointment, shall certify each polling subdivision list on oath (Form 25), and deliver the same to the returning officer, and shall prepare at least six copies of such lists duly certified as aforesaid, and shall forthwith post up one copy of each polling subdivision list in the office of the returning officer, and in a conspicuous place in the polling subdivision for which the list was prepared, and in the office of the clerk of the municipality, for public inspection, and shall distribute one copy to each of the representatives of the candidates. 1934, c. 63, s. 2 (2) *part*.

Procedure  
where  
complaint  
made for  
wrongful  
entry on list.

**74.** Within four days after the posting up of the polling subdivision lists by the enumerators as provided in section 73, any person whose name has been entered on any of the said polling subdivision lists in the electoral district, may file with the proper clerk of the revising officer appointed for the polling subdivision, a complaint that there has been included in the polling subdivision list as compiled by the enumerators, the name or names of persons who should not be entered therein, and such complaint shall be prepared according to Form 26 and shall set out the reason for complaining and shall be accompanied by an affidavit of the complainant (Form 27), and the same shall be filed with such clerk of the proper revising officer not later than the first day appointed for the sittings of the revising officer. 1934, c. 63, s. 2 (2) *part*.

Revising  
officer's clerk  
to notify  
voter of  
complaint.

**75.** Upon such complaint and affidavit being received by the clerk of the revising officer, he shall forthwith, and not later than the first day of the sittings of the revising officer, transmit by registered mail addressed to the person objected to, at the address mentioned in the list of voters as compiled by the enumerator, a notice (Form 28), requiring the person objected to, to appear in person or by representative before the revising officer on a day to be named in such notice to answer the complaint made. 1933, c. 67, s. 6 *part*.

Board to  
fix time and  
place for  
registration  
and revision

**76.** As soon as conveniently may be after the issue of a writ for the holding of an election to fill a vacancy in the Assembly, or after the dissolution or expiry of the Assembly, the board shall fix the times and places in every municipality

at which sittings shall be held by the revising officers for the purpose of the registration of voters and revising the lists compiled and certified by the enumerators. 1933, c. 67, s. 6 *part.*

**77.** The returning officer shall furnish to the revising officers the original lists for each polling subdivision as prepared, and certified by the enumerators. 1933, c. 67, s. 6 *part.*; 1934, c. 63, s. 3.

List to be delivered to revising officers.

**78.**—(1) The board shall appoint from among their numbers revising officers to hold sittings in such cities, towns and townships in the electoral district in which an election is to be held for the registration of voters and the revision of the lists as herein provided.

Who to be revising officer,—appointment of.

(2) Wherever practicable, the revising officer so appointed shall be the judge or one of the judges of the county or district court or the acting judge of the said court; but where the county or district forms part of a district formed under *The County Judges Act* a judge of any county or district included therein may be appointed revising officer. 1933, c. 67, s. 6 *part.*

Idem.

Rev. Stat., c. 102.

(3) For the due performance of his duty, a revising officer appointed under this part shall have and possess all the powers of a judge sitting for the hearing of complaints under Part I. 1933, c. 67, s. 12.

Powers of revising officer.

**79.** Where, owing to the number of sittings to be held, or from any other cause, the board finds it impracticable for a judge to act as revising officer, the board may appoint one of their own number, being a barrister of at least five years standing, or some other fit and proper person having the like qualification to act as revising officer. 1933, c. 67, s. 6 *part.*

Where judge not available.

**80.** The returning officer shall report to the board the convenient places he has selected in which the revising officers shall sit, and such places shall be properly furnished, lighted and heated. 1933, c. 67, s. 6 *part.*

Suitable places for sittings to be obtained.

**81.** The board shall cause to be printed a notice of the sittings of the revising officers in such form as may be prescribed by the board, and such notice shall at least five days before the sittings, be posted in adequate numbers and in conspicuous places throughout the areas affected, and where possible, published in all newspapers having a general circulation in the electoral district, and before nine o'clock on the morning of the day of registration and revision an additional five copies

Notice of sittings to be given.



shall be posted up outside of and near to the place of registration and revision. 1933, c. 67, s. 6 *part*.

Appoint-  
ment of  
clerks to  
revising  
officer.

**82.** The board shall appoint one or more clerks to any revising officer as may be necessary, and such appointments shall be made as soon as conveniently may be after the issue of the writ for the election, and notice shall be published in all newspapers having a general circulation in the electoral district of such appointment, and the location of his office. 1933, c. 67, s. 6 *part*.

Oath  
by revising  
officer except  
the judge.

**83.** Every revising officer shall, unless he be a judge, be sworn to the faithful and impartial performance of his duties. 1933, c. 67, s. 6 *part*.

Additional  
revising  
officers  
may be  
appointed.

**84.** If at any time the number of applications for registration and revision of the list, at any registration and revising office, is such that the revising officers cannot promptly dispose of them, the board may appoint additional revising officers, or may provide clerical assistance for the revising officers acting thereat. 1933, c. 67, s. 6 *part*.

Represent-  
atives of  
recognized  
political  
interests  
may be  
present.

**85.** The revising officers shall permit to be present in the place of registration and revision two representatives of each recognized and opposed political interests in the electoral district, but no such representative shall, except with the permission of the revising officer, have any right to take part or intervene in the proceedings. 1933, c. 67, s. 6 *part*.

Who may  
apply to be  
registered  
or have  
correction  
made.

**86.** Any person resident in any polling subdivision included in the registration district, whose name has not been included or has been incorrectly included by the enumerator in the list of voters for such polling subdivision, may apply at the registry office for the registration district to have his name included in the list or to cause the entry in the list relating to him to be corrected. 1933, c. 67, s. 6 *part*; 1934, c. 63, s. 3.

Application  
to be entered  
on list to be  
signed.

**87.** Every person so applying shall sign an application (Form 29), in which all the information required by the said form shall be sufficiently filled in, either by the applicant personally or by a revising officer at the applicant's request, and before entering the name of any such person in the list of voters or before correcting such list, as the case may require, the revising officer shall satisfy himself that the applicant understands the effect of the statements in the application and that he is entitled to have his name included in the list or to have the list corrected pursuant to his request. 1933, c. 67, s. 6 *part*.

**88.** Whenever the language of the applicant is not understood by the revising officer, an interpreter may be sworn and may act; but in the event of inability to secure an interpreter, the application shall, for the time being, be refused. 1933, c. 67, s. 6 *part*.

Interpreter  
may be  
engaged.

**89.** If it appears to the revising officer that the applicant understands the effect of the statements in the application (Form 29), and that the applicant's name should be included in the list, or that the amendment thereof which he requests should be made, he shall certify accordingly by signing the said application. 1933, c. 67, s. 6 *part*.

Revising  
officer to  
enter name  
when  
satisfied  
applicant is  
qualified.

**90.** If, in the opinion of the revising officer, the statements made by the applicant in his application do not show that the applicant is entitled to have his name included in the list, or to have the list amended as requested, he shall advise the applicant that his application is refused, stating the reasons for such refusal, which reasons he shall endorse on the application form. 1933, c. 67, s. 6 *part*.

Procedure  
where  
application  
refused.

**91.** If any person who claims to be entitled to have his name included in the list of voters or to have the entry relating to him therein corrected, is unable personally to attend the registration and revising sittings by reason of sickness, disability, or necessary, temporary, unavoidable and *bona fide* absence from the municipality in which the registration area is included, then a relative of such person by blood or marriage, or his employer may, if he has a sufficient knowledge of the facts, appear before the revising officer and complete the application (Form 29), to have such person's name included in the list of voters, or to have the list corrected, as the case may be. 1933, c. 67, s. 6 *part*.

Absence  
through sick-  
ness, etc.,—  
relative  
or employer  
may appear.

**92.** If the relative by blood or marriage, or the employer so appearing, substantiates,—

Evidence to  
be produced  
by relative or  
employer.

- (a) the cause for the non-appearance of the person immediately concerned to be as hereinbefore set forth;
- (b) the existence of a relationship by blood or marriage or the relationship of employer and employee; and
- (c) the facts relevant to the qualification, name, address or identity of the person immediately concerned so far as such facts are requisite to cause the name of such person to be included in the list, or to cause the list to be corrected, as the case may be, the revising

officer may act upon such application as if the person immediately concerned had appeared in person before him. 1933, c. 67, s. 6 *part*.

Objections  
by persons  
on list to  
names  
appearing  
thereon.

Procedure.

**93.**—(1) Any person whose name appears in the list of voters for any polling subdivision in the electoral district or the registration district for which the revising officer has been appointed, may on the first day of the sittings only make oath before such revising officer giving particulars,—

- (a) of the list upon which his name appears;
- (b) stating that he is qualified to vote in the electoral or registration district; and
- (c) alleging the death, disqualification, or real residence and appearance on another list, of any person on the list for any of the polling subdivisions in the registration district for which such revising officer has been appointed. 1933, c. 67, s. 6 *part*; 1934, c. 63, s. 3.

Notice to  
person  
objected to.

(2) The revising officer, upon such oath being made before him (Form 27), shall cause to be transmitted by registered mail addressed to the person objected to, at the address mentioned in the list of voters, if any, and also at such other address, if any, as may be mentioned in the oath aforesaid, a notice, (Form 28), requiring the person objected to, to appear in person or by his representative before him or any revising officer who is on duty at such revising office, on a day to be named in such notice, to establish his qualification as a voter, and the revising officer shall transmit with each copy of such notice, a copy of the oath of the voter making the objection. 1933, c. 67, s. 6 *part*.

Additions  
and correc-  
tions to be  
entered on  
the proper  
polling sub-  
division list.

**94.** During the sittings, each revising officer shall, from time to time, enter in the proper polling subdivision list in his registration district as supplied by the returning officer and certified by the enumerator as provided in this Part, names, addresses and occupations of such qualified voters as are added by him to the list, or in respect of which any correction or alteration is made, and shall certify each amendment of the list so made in the proper polling book, and shall certify each amendment of the list so made by appending thereto his initials and a note of the date of the amendment. 1933, c. 67, s. 6 *part*; 1934, c. 63, s. 3.

Revising  
officer a con-  
servator of  
the peace.

**95.** Every revising officer shall, while sitting as such, be a conservator of the peace and have and possess the same powers as a justice of the peace and he may appoint, if necessary,



constables for the maintenance of order and for the arrest and detention of persons who are guilty of the personation of others, or of attempting to personate others, or who impede or improperly interrupt his proceedings or create a disturbance. 1933, c. 67, s. 6 *part*.

Power to appoint constables in special cases.

**96.** The board may at any time relieve any revising officer of his duties and appoint another to perform the same, and any revising officer so relieved shall forthwith upon receiving written notice from the board, of the appointment of a substitute for him, deliver to the board or to such other person as the board may appoint, all lists, notices and other papers in his possession as such revising officer. 1933, c. 67, s. 6 *part*.

Board may replace revising officers.

**97.** At the sittings for revision, the revising officer shall have jurisdiction to dispose and shall dispose,—

Jurisdiction of revising officer.

- (a) of applications made by persons to have their names included in the lists, or to have the lists corrected;
- (b) of applications by relatives or employers;
- (c) of objections on oath made before a revising officer under section 93 of which a revising officer has given notice as provided in such section;
- (d) of objections to the inclusion of any names in the list of voters of which at least two days notice has been given in writing sent by mail, registered and prepaid, addressed to the person whose name is objected to at the address given for such person in the list of voters; and
- (e) of complaints filed under section 74 with any clerk of any revising officer, notice of which has been given to the party objected to as provided in the said section. 1933, c. 67, s. 6 *part*.

**98.** In the case of any objections made on oath before a revising officer under section 93, of which notice has been properly given by a revising officer under the said section, the onus of establishing his right to have his name included in the list of voters shall be upon the person objected to, and if such person does not, during the sittings on the day for which notice of the hearing of such objection has been given, appear before the revising officer, personally or by representative, or, being present or represented, fails to satisfy the revising officer of his right to have his name retained on the list, the revising

Procedure dealing with objections to name on list.

officer shall strike his name therefrom whether or not the voter by whom the objection was made has appeared before him. 1933, c. 67, s. 6 *part*.

Procedure  
complaint  
made under  
section 74.

**99.** In the case of any objection or complaint to the inclusion of a name in the list of voters of which notice has been given by the objecting person under the provisions of section 74, the onus of establishing the validity of such objection shall rest upon the objecting person, and shall be discharged either by proper evidence that the name of the person objected to should not be included in the list of voters or by the production of a post office certificate of the registration of the package containing the notice of objection, and of the package itself having upon it a record by the post office indicating that the same could not be delivered. 1933, c. 67, s. 6 *part*.

Name not to  
be struck off  
without  
notice.

**100.** The name of any person shall not be removed from the enumerator's list by the revising officer unless he is satisfied on oath that due notice of complaint has been given to such person, or evidence that such person could not be found and the registered notice could not be delivered. 1933, c. 67, s. 6 *part*; 1934, c. 63, s. 4.

Evidence  
required.

**101.** The revising officer shall not remove any name from the enumerator's list or make any other changes therein except upon evidence under oath. 1933, c. 67, s. 6 *part*; 1934, c. 63, s. 5.

Revising  
officer cor-  
rects the lists  
and certifies  
to same.

**102.**—(1) During the sittings for the revision of the list each revising officer shall correct, and forthwith after their conclusion shall certify the lists of each polling subdivision as finally revised by him, and shall thereupon as soon as possible transmit to the returning officer the said lists as corrected by him. 1933, c. 67, s. 6 *part*; 1934, c. 63, s. 3.

Lists so  
revised to be  
lists for the  
election.

(2) The lists as so revised and certified shall be the proper lists to be used in preparing the polling lists for the election. 1933, c. 67, s. 6 *part*.

Copies  
of revised  
lists to be  
furnished  
candidates.

**103.** The returning officer shall forthwith cause to be made a sufficient number of copies of the revised lists for each polling subdivision and shall distribute two copies to the representatives of the candidates. 1933, c. 67, s. 6 *part*; 1934, c. 63, s. 3.

Lists to be  
printed and  
certified.

**104.** The returning officer shall also forthwith cause the lists as finally revised to be printed, and shall have the printing thereof completed not later than the eighth day before polling day, and each printed copy of each list shall have appended thereto a printed certificate by the returning officer that such

print accurately sets out the names, addresses and occupation of the persons referred to in the list as finally revised by the revising officer for the polling subdivision to which the printed list relates. 1933, c. 67, s. 6 *part*; 1934, c. 63, s. 3.

**105.** The returning officer shall furnish ten printed copies of the list for each polling subdivision to the representatives of the candidates. 1933, c. 67, s. 6 *part*; 1934, c. 63, s. 3. Printed copies to be furnished candidates.

**106.** The printed lists for the polling division as so certified by the returning officer, shall be the official list for the polling subdivision to which it relates, but if any material difference between its contents and the contents of the list as finally revised by the revising officer is discovered after the completion of the printing, the returning officer shall furnish a certificate of such error to the deputy returning officer and to the representative of each of the candidates, and the printed list shall for all purposes be taken to have been amended in accordance with such certificate. 1933, c. 67, s. 6 *part*; 1934, c. 63, s. 3. Printed list the official list.

**107.** Any copies of lists, or of statements of changes or additions in any list required by this Part to be distributed to the candidates, shall be distributed to the representatives of candidates who have been formally nominated as such at the pending election, if any. 1933, c. 67, s. 6 *part*. Distribution of lists to candidates.

**108.—**(1) The Lieutenant-Governor in Council may make regulations,— Regulations.

- (a) prescribing the forms, notices and other documents to be used for the purposes of this Part;
- (b) respecting the duties of the clerk of the board, the enumerators and all other clerks and officers appointed or acting under this Part;
- (c) respecting the books and other records to be kept of the proceedings of the board, the enumerators and the revising officer;
- (d) fixing the fees to be payable to the board, the enumerators and the revising officer and clerk for services performed, the witness fees and costs, if any, the costs of any premises used for the purpose of registration, or revision, and the costs of printing the lists, and any other costs incurred in connection therewith and prescribing the manner in which and by whom the same shall be borne and paid;



- (e) fixing the times in connection with the preparation of any list where no other provision in this Part has been made;
- (f) for giving directions as to any matter in connection with the preparation or revision of lists under this Part, which is not expressly provided for therein; and
- (g) generally for the better carrying out of the provisions of this Part.

Force of regulations.

(2) Any regulation made by the Lieutenant-Governor in Council under this Part, shall have the same force as if it had been enacted herein. 1933, c. 67, s. 6 *part*.

Application of Part.

Rev. Stat. c. 8.

**109.** Notwithstanding anything contained in this Act, or *The Election Act*, the provisions of this Part shall extend and apply to the preparation and revision of voters' lists in all cities and separated towns having a population of 10,000 or more and in all townships bordering on a city having a population of 100,000 or more. 1933, c. 67, s. 6 *part*; 1934, c. 63, s. 6.

Who may vote.

**110.** Only those persons who have registered with the registrars and revising officers and appear in the list for their respective polling subdivision, as compiled by the said revising officers in accordance with the provisions of this Part shall be entitled to vote at the election for which the said lists have been prepared. 1933, c. 67, s. 6 *part*; 1934, c. 63, s. 3.

Rev. Stat., c. 8, s. 18, par. 2.

Soldiers franchise allowed.

Part III need not be printed by municipality under this Part.

**111.** Notwithstanding anything in this Part contained, the provisions of paragraph 2 of section 18 of *The Election Act* shall apply. 1933, c. 67, s. 6 *part*.

**112.** In all cities, towns and townships where the provisions of this Part apply, it shall not be necessary for such municipality to print Part III of the voters' list as otherwise provided in this Act. 1933, c. 67, s. 6 *part*.

## PART V.

### LISTS IN TERRITORY WITHOUT MUNICIPAL ORGANIZATION.

When lists to be prepared.

**113.** Whenever a vacancy occurs in the Assembly or the Assembly is dissolved or expires, lists shall be prepared in each electoral district comprising territory without municipal organization, including territory in an Indian Reserve, of all persons who are entitled to be entered upon the lists and to vote at an election in the electoral district of which such territory forms a part. R.S.O. 1927, c. 7, s. 69.

**114.**—(1) As soon as conveniently may be after a vacancy occurs in the Assembly or the Assembly is dissolved or expires, the board shall determine the number and places in the territory where a poll is to be established and held, and shall cause a proclamation in such form as may be prescribed by the Chief Election Officer to be posted up at every such place at which a poll will be held, calling upon all persons qualified to vote at the election to attend at such places and times as may be mentioned in the proclamation, in order that their names may be entered upon the lists by the enumerators who will attend for such purpose.

Board to determine polling places and issue proclamation.

(2) Such proclamation shall be so posted up in conspicuous places in such polling districts at least five days before the sittings of the enumerators.

Proclamation to be posted up.

(3) The board may also direct that a copy of Part V be posted up in the same manner as herein provided.

Posting up Part V.

(4) The board shall transmit a copy of the proclamation to the known candidates for the pending election, and if not known, to the member representing the electoral district, and the defeated candidate at the last election. 1933, c. 67, s. 7.

Proclamation to be sent to candidates.

**115.**—(1) The board shall appoint a chief enumerator for the electoral district and the chief enumerator shall appoint one or more assistant enumerators to assist him in the preparation of the voters' lists.

Appointment of chief enumerator and assistant enumerators.

(2) The appointment shall be by writing in duplicate under the hand of the chairman of the board or the chief enumerator as the case may be and shall designate the area within the electoral district in which each assistant enumerator is to prepare the list.

Appointment to be in writing.

(3) One of such duplicates shall be furnished to the chief enumerator or the assistant enumerator, as the case may be, and the other shall be forthwith filed in the office of the clerk of the board and shall be open to inspection at all reasonable times.

Filing of appointments.

(4) A copy of every such appointment, certified by the chairman of the board, or by the chief enumerator as the case may be, shall be forthwith transmitted to the Clerk of the Crown in Chancery, and shall be filed in his office. R.S.O. 1927, c. 7, s. 71.

Copy for Clerk of Crown in Chancery.

**116.** The board may dispense with the services of any chief enumerator or assistant enumerator at any time and

Changes among appointees.

may appoint some other person to the office and may fill any vacancy caused by death, removal or otherwise, or by the neglect of the chief enumerator to make an appointment, and may enlarge, diminish or alter the limits of the territory in which any assistant enumerator is to act as the board may think fit. R.S.O. 1927, c. 7, s. 72.

Oath  
of office.

**117.**—(1) Every chief enumerator and every assistant enumerator shall, before entering upon his duties, take the oath of office (Form 30) before a judge of the county or district court of the county or district or before a justice of the peace or one of the members of the board, and the oath shall forthwith be transmitted to the clerk of the board, and in the case of the chief enumerator shall be forthwith transmitted by the clerk of the board to the Clerk of the Crown in Chancery. R.S.O. 1927, c. 7, s. 73.

Oath of  
assistant  
enumerator.

(2) The chief enumerator shall have power to administer the oath of office to any assistant enumerator. 1934, c. 63, s. 7.

Enumerators  
to attend for  
registration.

**118.**—(1) The chief enumerator, under the direction of the board, and his assistant enumerators shall attend at the time and place mentioned in the proclamation for the purpose of the registration of voters and the preparation of the lists.

Application  
to be entered  
and proced-  
ure for enter-  
ing names  
on list.

(2) The provisions of sections 87, 88, 89, 90, 91 and 92 shall, *mutatis mutandis*, apply to the registration of voters by the enumerators. 1933, c. 67, s. 8.

Who may  
be entered  
on list.

**119.** Every person who,—

(a) is of the full age of twenty-one years or will be of the full age of twenty-one years before the day fixed for holding the poll at the election;

(b) is a British subject;

Rev. Stat.,  
c. 8.

(c) is not disqualified under *The Election Act* or otherwise by law prohibited from voting;

(d) is a resident of and domiciled in the electoral district;

(e) is and has been continuously, from a date twelve months prior to the day fixed for holding the poll at the election, a resident of and domiciled in Ontario,

shall be entitled to be entered on the list prepared under this Part. R.S.O. 1927, c. 7, s. 76.



**120.** Subject to the direction of the board the chief enumerator shall have the general supervision and direction of the assistant enumerators, and notwithstanding anything in this Act contained, may do and perform any of the duties assigned to an assistant enumerator. R.S.O. 1927, c. 7, s. 77.

General supervision of enumeration.

**121.** The list shall be in several parts, one part for each polling place, and the name of each voter shall be entered in that part, the polling place for which is most convenient for him. R.S.O. 1927, c. 7, s. 79.

Subdivision of lists.

**122.** Every assistant enumerator shall, on completion of the lists, attach thereto an affidavit in the prescribed form, to be made before the judge or a magistrate, and shall forthwith deliver the list to the clerk of the board who shall post up the same in his office. R.S.O. 1927, c. 7, s. 80.

Affidavit of assistant enumerator.

**123.** The non-performance by the assistant enumerator of any of his duties under this Act within the times appointed shall not affect the validity of any list nor shall such list be void for any irregularity, if there has been a substantial compliance with the requirements of this Part. R.S.O. 1927, c. 7, s. 81.

Where irregularities not to void list.

**124.—(1)** The board shall appoint from among their number a revising officer, to hold sittings for the revision of the lists for the purposes of the election.

Appointment of revising officer.

(2) Wherever practicable, the revising officer so appointed shall be the judge or one of the judges of the district.

District judge to act if practicable.

(3) The board may appoint one or more of its members to act in the place of the judge for the purpose of revision and hearing complaints, where owing to the extent of territory to be dealt with or for any other reason the board deems such appointment necessary or expedient. 1933, c. 67, s. 9 *part*.

Where judge not available.

(4) For the due performance of his duty, a revising officer appointed under the provisions of this Part shall have and possess all the powers of a judge sitting for the hearing of complaints under Part I. 1933, c. 67, s. 12.

Powers of revising officer.

(5) The board shall fix the times and places at which sittings shall be held by the revising officers.

Fixing sittings of revising officers.

(6) The board shall cause to be printed a notice of the sittings of the revising officer in such form as may be prescribed by the Chief Election Officer, and such notice shall at least five days before the sittings be posted in adequate numbers

Notice of sittings of revising officer.

and in conspicuous places throughout the areas affected, and where possible, published in any newspaper. 1933, c. 67, s. 9 *part*.

Clerk to  
revising  
officer

**125.** The Board may appoint a clerk to any revising officer appointed under the provisions of this Part and such clerk shall perform, as far as possible, the duties assigned to a clerk of a revising officer appointed under the provisions of Part IV. 1933, c. 67, s. 11.

Application  
of provisions  
of Part IV.

**126.**—(1) The provisions of Part IV dealing with the right of persons to have their names added to such list or corrections made therein by the revising officer, and the procedure relating to complaints against any name entered thereon shall as far as possible apply to this Part, and such provisions shall also apply to the procedure before the revising officer, and such revising officer shall have the same jurisdiction, and perform the same duties assigned to the revising officer appointed under the said Part IV, and the forms and notices and other procedure shall be the same as nearly as may be, and be taken with the same effect as provided in Part IV. 1933, c. 67, s. 10.

Power of  
board in  
certain  
cases.

(2) If for any reason any of the provisions of this Part, or of Part IV which are applicable to this Part, cannot be complied with, then in all such cases the Board shall deal with the same, subject to the approval of the Chief Election Officer. 1934, c. 63, s. 8.

Fees of  
enumerator  
and judge.

**127.**—(1) The chief enumerator and each assistant enumerator for preparing, and the judge for revising the lists required by this Part, shall be entitled to receive the sum of \$5 per day for the time during which he was engaged therein, and all reasonable personal expenses and disbursements.

When  
additional  
sums  
may be  
authorized.

(2) Whenever it appears to the Lieutenant-Governor in Council that the amount provided in subsection 1 is not sufficient remuneration for the services required to be performed, he may authorize the payment of such additional sum for such services as he may consider just and reasonable.

How  
payable.

(3) The fees, allowances and expenses payable under subsections 1 and 2, and the other expenses of preparing lists under this Part shall be certified by the chairman of the board and shall be audited and paid in the manner provided by *The Election Act* with respect to fees and expenses allowed under that Act. R.S.O. 1927, c. 7, s. 84.

Rev. Stat.,  
c. 8

Enumerators  
etc., not to  
be candi-  
dates.

**128.** No chief enumerator or assistant enumerator and no person in whose office the list is deposited under this Part,

shall be a candidate for election to the Assembly at any election at which the list is used. R.S.O. 1927, c. 7, s. 85.

**129.** If a chief or assistant enumerator wilfully neglects, omits, or refuses to perform any of the duties hereinbefore required of him, for each omission, neglect, or refusal, he shall incur a penalty of \$200. R.S.O. 1927, c. 7, s. 86. Penalty for neglect of duty.

**130.** The wilful alteration of, omission from, incorrect entry in or falsification of any certified list or copy thereof, shall be an offence and any chief or assistant enumerator, clerk of the peace or other person who commits such offence or wilfully permits the same to be committed, shall incur a penalty of not less than \$500 nor more than \$2,000 and in addition thereto may be imprisoned for a period not exceeding three months. R.S.O. 1927, c. 7, s. 87. For misconduct.

**131.** Any penalty mentioned in section 129 or 130 shall be recoverable under *The Summary Convictions Act*. R.S.O. 1927, c. 7, s. 88. Recovery of penalties. Rev. Stat., c. 136.

**132.** The Lieutenant-Governor in Council may make regulations,— Regulations.

- (a) prescribing forms to be used in carrying out this Part;
  - (b) fixing the fees and charges to be paid and allowed for any services rendered in connection with the preparation and revision of the lists;
  - (c) providing for any matter in connection with the preparation of the lists not expressly provided for in this Part, and generally for the better carrying out of the provisions of this Part. R.S.O. 1927, c. 7, s. 89.
-



## SCHEDULE A

## FORM 1.

(Section 5.)

## FORM OF VOTERS' LIST.

Voters' List 19 . Municipality of

## SCHEDULE OF POST OFFICES.

1. North Augusta.  
2. Maitland.

3. Wright's Corners.  
4. Prescott.

POLLING SUBDIVISION No. 1, COMPRISING, ETC.:—(Giving the Limits.)

## PART I.—Persons entitled to vote at BOTH Municipal Elections and Elections to the Legislative Assembly.

NAME	CONDI- TION	LOT	CON. OR STREET		POST OFFICE ADDRESS	JUR- ORS' COL.
Anderson, Henry.....	M	N W ½ 6	3	Owner	1	
Andrews, John.....	B	W 14 acr. 8	1	F.S.	4	
Archer, Mary.....	MW	2	9	M.F.N.C.	4	
Burton, Samuel.....	W'er	E ½ 17	4	See Subdiv. No.	2	
Clark, Edith.....	W	W ½ 17	4	Tenant	5	

## PART II.—Persons entitled to vote at Municipal Elections ONLY.

NAME	LOT	CON. OR STREET		POST OFFICE ADDRESS
Archer, Henry.....	4	3	M.F.N.C.	2
Burk, Edmund.....	W ½ 17	4	Tenant	3
Jones, David.....	E ½ 17	4	Owner	4

## PART III.—Persons entitled to vote at Elections to the Legislative Assembly ONLY.

NAME	CON- DITION	LOT	CON. OR STREET	POST OFFICE ADDRESS
Acroyd, James.....	M	N ½ 3	4	3
Joseph Amos.....	B	3	7	3
Jones, Elizabeth.....	S	NW ½ 6	8	3
Martin, Clara.....	MW	W ½ 9	5	4
Morris, Edward.....	W'er	E ½ 17	4	4
Smith, Grace.....	W	W ½ 6	9	4

POLLING SUBDIVISION No. 2, COMPRISING, ETC.:—(Giving the Limits.)

(NOTE: In the Column headed "Condition" insert the initial letter or letters  
"M" (Married); "M.W." (Married Woman); "S" (Spinster);  
"W" (Widow); "W'er" (Widower); "B" (Bachelor), according to  
the circumstances.)

## FORM 2.

(Section 9.)

## CERTIFICATE TO BE ENDORSED ON PART I OF THE VOTERS' LIST.

I, A. B., Clerk of the Municipality of \_\_\_\_\_, in the County of \_\_\_\_\_, certify that the within (or above) list being the first part of the voters' list constitutes a correct list for the year 19\_\_\_\_, of all persons appearing by the last revised assessment roll to be entitled to vote at both elections for members of the Legislative Assembly and municipal elections in the said Municipality, and I hereby call upon all voters to take immediate proceedings to have any omissions or errors corrected according to law.

Dated this \_\_\_\_\_

day of  
A. B.,  
Clerk of

R.S.O. 1927, c. 7, Sched. A, Form 2.

## FORM 3.

(Section 9.)

## CERTIFICATE TO BE ENDORSED ON PART II OF THE VOTERS' LIST.

I, A. B., Clerk of the Municipality of \_\_\_\_\_, in the County of \_\_\_\_\_, certify that the within (or above) list being the second part of the voters' list constitutes a correct list for the year, 19\_\_\_\_, of all persons appearing by the last revised assessment roll to be entitled to vote at municipal elections only in the said Municipality and I hereby call upon all voters to take immediate proceedings to have any omissions or errors corrected according to law.

Dated this \_\_\_\_\_

day of  
A. B.,  
Clerk of

R.S.O. 1927, c. 7, Sched. A, Form 3.

## FORM 4.

(Section 11.)

## CLERK'S NOTICE OF FIRST POSTING OF VOTERS' LIST.

Voters' Lists, 19\_\_\_\_, Municipality of \_\_\_\_\_, County of \_\_\_\_\_.  
Notice is hereby given that I have complied with section 8 of *The Voters' Lists Act* and that I have posted up at my office at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, the list of all persons entitled to vote in the said Municipality at municipal elections and that such list remains there for inspection.

And I hereby call upon all voters to take immediate proceedings to have any errors or omissions corrected according to law, the last day for appeal being the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Dated, etc. \_\_\_\_\_

A. B.,  
Clerk of

R.S.O. 1927, c. 7, Sched. A, Form 4.

## FORM 5.

(Section 12 (5).)

AFFIDAVIT IN SUPPORT OF APPLICATION FOR NAME TO BE  
PLACED ON REVISED LIST.

I, \_\_\_\_\_, of the Township of \_\_\_\_\_, in the County  
of \_\_\_\_\_, make oath and say:—

1. That I am (or that \_\_\_\_\_ is to the best of my personal  
knowledge) a British subject of the full age of twenty-one years, and not  
a citizen or a subject of any foreign country.

2. That I have (or that the said \_\_\_\_\_ has) resided in the  
Dominion of Canada for the nine months next preceding the  
day of \_\_\_\_\_, 19\_\_\_\_. (*Fill in the day fixed for beginning to  
make the assessment roll upon which the voters' list is based*) and that I was  
(or the said \_\_\_\_\_ was) on the said day a resident of and  
domiciled in this municipality.

or

2. That on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_. (*Fill in the  
last day for making complaint to the county judge*), I will have (or the said  
\_\_\_\_\_ will have), resided in the Dominion of Canada for the  
twelve months next preceding that day and that I am (or the said  
\_\_\_\_\_ is) a resident of and domiciled in this municipality.

3. That I am (or the said \_\_\_\_\_ is) entitled to be entered  
on the voters' list for the township of \_\_\_\_\_.

4. That I am not (or that the said \_\_\_\_\_ is not) disqualified  
under *The Election Act* or otherwise by law prohibited from voting at  
elections for the Legislative Assembly.

Sworn before me at the  
of \_\_\_\_\_ in the County of \_\_\_\_\_  
this \_\_\_\_\_ day of \_\_\_\_\_

A.D., 19\_\_\_\_.

(Signature Justice of the Peace or Commissioner, etc.)

NOTE.—This affidavit may be made before a justice of the peace, a  
commissioner for taking affidavits or a notary public.

R.S.O. 1927, c. 7, Sched. A, Form 5.

## FORM 6.

(Sections 13 (1), 15 (1).)

## THE VOTERS' LISTS ACT

## NOTICE OF COMPLAINT OR APPEAL

Polling Subdivision No. .... Ward No. .... Municipality of. ....

(This notice must not apply to the lists for more than one polling subdivision)  
To \_\_\_\_\_, Clerk of the \_\_\_\_\_ for the  
of \_\_\_\_\_

I (*Insert full name—No initials*), a person entered or entitled to be  
entered on the voters' list in the above-mentioned municipality in the  
electoral district of \_\_\_\_\_, complain that the persons  
whose names are set forth in List No. 1, are entitled to be on the voters'  
list for the above-mentioned polling subdivision, but are omitted from



the said list; that the persons whose names are set forth in List No. 2 are incorrectly described in the said list; that the persons whose names are set forth in List No. 3 ought not to have been entered on the voters' list for the above-named polling subdivision; and take notice that I intend to apply to the Revising Officer in respect thereof pursuant to the statute in that behalf.

(Signed)

Dated this

day of

, A.D. 19

### LIST No. 1.

(Showing voters omitted from or not entered on the Voters' List.)

NAMES OF PERSONS	ADDRESS	CONDITION (Here write letters: "M" meaning Married; "B." meaning Bachelor; "W'er" meaning Widower; "M.W." meaning Married Woman; "S." meaning Spinster; "W" meaning Widow; "S.F" meaning Soldier's Franchise.)
<i>Insert full name and do not use initials.</i>		

### LIST No. 2.

(Showing persons whose names are wrongly stated in Voters' List.)

NAMES OF PERSONS	ADDRESS AS STATED IN LIST	The Errors in State- ment upon Voters' List
<i>Insert name as entered on list.</i>		

### LIST No. 3.

(Showing persons whose names ought not to be on Voters' List.)

NAMES OF PERSONS	ADDRESS AS STATED IN LIST	Grounds on Which Such Persons' Names Ought Not to be on the Voters' List.
<i>Insert name as entered on list.</i>		

## THE VOTERS' LISTS ACT.

## VOTER'S NOTICE OF COMPLAINT.

(For use by individual complainants.)

Electoral District of .....  
 Complaint as to Voters' List for Polling Subdivision No. ....  
 in the Municipality of .....  
 (Here insert name of municipality)

I, ..... a person entered or  
 (Full name of complainant)

entitled to be entered on a voters' list in the above-mentioned municipality and electoral district, hereby complain that my name has been omitted from the list for the above polling subdivision, and appeal to have it entered thereon.

I hereby state and declare that

- (1) I am a British subject by birth.  
 (If naturalized, cross out "birth," write in "naturalization" and give date of your certificate. Naturalized citizens must bring their certificates of naturalization with them when their appeals are to be heard.)
- (2) My occupation is .....  
 (In case of women, give occupation and also state whether married, widowed or single.)
- (3) I have resided in Canada since.....
- (4) I have been living at .....  
 (Give present street address, or lot and concession number.)  
 since .....  
 (If you have moved within last five months, give each address at which you have lived in that period and date of moving from each.)

- (5) I am over twenty-one years of age.

And take Notice that I intend to apply to the judge in respect thereof, pursuant to the statute in that behalf.

Dated this ..... day of ....., 19 ..

(Complainant sign here)

R.S.O. 1927, c. 7, Sched. A, Form 6.

## FORM 7.

(Section 15 (3).)

## CLERK'S REPORT IN CASE OF APPEALS AND COMPLAINTS TO THE JUDGE.

To His Honour the Judge of the County Court of the County of ..

The Clerk of the Municipality of ..... reports that the several persons mentioned in column 1 of the subjoined schedule, and no others, have given to him written notice complaining of errors or omissions in the voters' list for the said Municipality for 19 .., on the grounds mentioned in column 2 of the said Schedule, and that such notices were received respectively at the dates set down in column 3 of the said schedule.

A. B.,  
 Clerk of

*Schedule.*

1	2	3
NAME OF COMPLAINANT	ERRORS OR OMISSIONS COMPLAINED OF	DATE WHEN NOTICE OF COM- PLAINT RECEIVED BY CLERK

R.S.O. 1927, c. 7, Sched. A, Form 7.

## FORM 8.

*(Section 15 (3).)*JUDGE'S ORDER APPOINTING COURT FOR HEARING COMPLAINTS AND  
APPEALS.

To \_\_\_\_\_, Clerk of the Municipality of the

I appoint the \_\_\_\_\_ of \_\_\_\_\_ 19\_\_\_\_, at the  
 hour of \_\_\_\_\_ at \_\_\_\_\_ in the said county, for holding a  
 court to hear and determine the several complaints of errors and omissions  
 in the first and second parts of the said voters' list for the Municipality  
 of \_\_\_\_\_ for 19\_\_\_\_.

I direct that the Assessor for the Municipality shall attend the sittings  
 of the said court, and that the assessment roll and the minutes of the Court  
 of Revision for the Municipality for 19\_\_\_\_ be produced thereat.

Dated \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

*Judge C. C.*

R.S.O. 1927, c. 7, Sched. A, Form 8.

## FORM 9.

*(Section 15 (3).)*NOTICE TO BE POSTED BY CLERK IN HIS OFFICE WITH LIST OF  
COMPLAINTS.

Notice is hereby given that a court will be held, pursuant to *The Voters'  
 Lists Act*, at \_\_\_\_\_, on the \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock, for  
 hearing all complaints made against the first and second parts of the  
 voters' list for the Municipality of \_\_\_\_\_ for 19\_\_\_\_,  
 particulars of which complaints are shown in the subjoined schedule.

Dated, etc.

*A. B.,  
 Clerk of*



*Schedule.*

NAME OF PARTY COMPLAINING	NAME OF PERSON IN RESPECT TO WHOM APPEAL WAS MADE	GROUND OF COMPLAINT ALLEGED

R.S.O. 1927, c. 7, Sched. A, Form 9.

## FORM 10.

(Section 15 (3).)

## CLERK'S NOTICE TO PARTY COMPLAINING

*The Voters' Lists Act.*

You are hereby notified that a Court of Revision of the first and second parts of the voters' list, 19 , for the Municipality of will be held by the Judge of the County Court of the County of

, on the day of 19 , at o'clock, at which court all complaints will be heard and determined. A list of complaints is posted up in and you are hereby required to appear at the court; and take notice, that the Judge may proceed to hear and determine the complaints, whether the parties complaining appear or not.

By order of His Honour the Judge of the County Court of the County of.

Dated day of , 19 .

To

{ A person complaining of error in the voters' list.

A. B.,

Clerk of the Municipality , and  
of the Court.

R.S.O. 1927, c. 7, Sched. A, Form 10.

## FORM 11.

(Section 15 (3).)

## CLERK'S NOTICE TO PARTY COMPLAINED AGAINST.

*The Voters' Lists Act.*

You are hereby notified that a Court of Revision of the first and second parts of the voters' list, 19 , for the Municipality of will be held by the Judge of the County Court of the County of

, on the                      day of                      , 19                      , at  
 o'clock, and you are required to appear at the court, for that  
 has complained that your name                      is wrongly omitted (or  
 inserted as the case may be) in the said voters' list because (*state matter  
 of complaint concisely*). A list of all complaints lodged is posted up in  
 ; and take notice, that the Judge may proceed to  
 hear and determine the said complaint, whether you appear or not.

By order of His Honour the Judge of the County Court of the County  
 of                      .

To  
 Entered on voters' list.

A. B.,

*Clerk of the said Municipality, and  
 of the Court.*

R.S.O. 1927, c. 7, Sched. A, Form 11.

FORM 12.

(Section 16 (1).)



SUBPOENA.

ONTARIO:  
 County of  
 To Wit:

{ GEORGE THE SIXTH, by the Grace of  
 God, of Great Britain, Ireland and the  
 British Dominions beyond the Seas,  
 King, Defender of the Faith, Em-  
 peror of India.

To

Greeting:

We command you, that, all excuses being laid aside, you be and appear  
 in your proper person before our Judge of our County Court of the County  
 of                      , at                      , on the                      day of                      ,  
 19                      , at                      o'clock in the                      noon, at a court appointed,  
 and there and then to be held, for hearing complaints of errors in the  
 voters' list for 19                      , of the Municipality of the                      of  
 in the County of                      , and for revision of the said voters' list,  
 then and there to testify to all and singular those things which you know  
 in a certain matter (*or matters*) of complaint made and now depending  
 before the said Judge, under *The Voters' Lists Act*, where one  
 is complainant, and which complaint is to be tried at the said court. (*And  
 if the witness is required to produce documents*) that you bring with you and  
 produce at the said time and place (*Set out the documents to be produced*).  
 Herein fail not.

Witness, His Honour                      , Judge of our said Court at                      ,  
 the                      day of                      , in the year of our Lord 19                      .

A. B.,  
*Clerk.*

R.S.O. 1927, c. 7, Sched. A, Form 12.

## FORM 13.

(Section 19 (1).)

REPORT OF CLERK WHEN APPLYING FOR CERTIFICATE UNDER  
SECTION 19.

To the Clerk of the Peace of the County of \_\_\_\_\_  
I, \_\_\_\_\_, Clerk of the Municipality of \_\_\_\_\_, in the  
County of \_\_\_\_\_, do hereby certify as follows:

That I did, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, post up, and  
for a period of \_\_\_\_\_ days next thereafter did keep posted up in a  
conspicuous place in my office at \_\_\_\_\_, a correct printed copy of the  
first and second part of the voters' list for the Municipality of \_\_\_\_\_  
for 19\_\_\_\_, made in pursuance of *The Voters'*  
*Lists Act*, with the certificate required by section 9 of the said Act endorsed  
thereon.

That I did also deliver or transmit by post, the required number of  
similar printed copies of the list, with my certificate endorsed, to each of  
the persons entitled to the same under section 8 of the said Act.

That I did on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, cause to be  
inserted in the newspaper called the "\_\_\_\_\_" published in \_\_\_\_\_  
the notice required by section 11 of the said Act.

That no person gave me nor did I receive, within twenty-one days after  
I had posted up the list in my office, any written notice of complaint or  
intention to apply to the Judge in respect to the list.

And to the best of my knowledge and belief, I have complied with all  
the requirements of the said Act, so as to entitle me to apply for certified  
copies under section 19, and I now apply to you to certify the requisite  
number of the copies of the list received by you as being the revised  
list of voters for the municipality of the said  
of \_\_\_\_\_ for 19\_\_\_\_.

.....P.O.

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

*Clerk of the Municipality of*

.....P.O.

R.S.O. 1927, c. 7, Sched. A, Form 13;  
1929, c. 23, s. 1; 1937, c. 81, s. 8.

## FORM 14.

(Section 19 (1).)

## CERTIFICATE WHERE NO COMPLAINTS.

A. B., Clerk of the Municipality of the \_\_\_\_\_ having  
certified under his hand that no complaints respecting the first or second  
parts of the list of voters for the said Municipality, for the year 19\_\_\_\_,  
had been received by him within twenty-one days after the first posting up  
of the same; and on application of the Clerk. \_\_\_\_\_  
I, \_\_\_\_\_ Clerk of the Peace of the  
County of \_\_\_\_\_ in pursuance of the provisions of *The*  
*Voters' Lists Act*, certify that the first and second parts of the annexed  
printed list of voters, being one of the copies received by me from the clerk



under section 8 of the said Act, is the last revised list of persons entitled to vote at elections to the Assembly as well as at municipal elections, and that the second parts of the said annexed list is the last revised list of persons entitled to vote at municipal elections only in the said municipality for the year 19 .

Given under my hand at  
this                      day of                      19                      .  
*Clerk of the Peace.*

R.S.O. 1927, c. 7, Sched. A, Form 14;  
1937, c. 81, s. 9.

## FORM 15.

(Section 20 (1-3).)

CERTIFICATE OF JUDGE WHEN COMPLAINTS HAVE BEEN MADE.

I, \_\_\_\_\_, Judge of the County Court of the County of \_\_\_\_\_, pursuant to section 20 of *The Voters' Lists Act*, do hereby certify that the above (as the case may be) is a correct copy of the statement of changes made by me in the first and second parts of the list of voters, for the year 19\_\_\_\_, received by me from the Clerk of the Municipality of the \_\_\_\_\_ of \_\_\_\_\_, pursuant to the provisions of the said Act.

Dated \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

*Judge.*

R.S.O. 1927, c. 7, Sched. A, Form 15.

## FORM 16.

(Section 20 (3).)

CERTIFICATE OF CLERK OF THE PEACE WHEN  
COMPLAINTS HAVE BEEN MADE.

I, ..... Clerk of the Peace for the County of ..... pursuant to section 20 of *The Voters' Lists Act*, do hereby certify that the above (*as the case may be*) is a correct copy of the statement of changes made by His Honour, Judge ..... Judge of the County Court of the County of ..... in the first and second parts of the list of voters for the year 19...., as certified by the said Judge.

Dated this.....day of..... 19....

*Clerk of the Peace.*

1937, c. 81, s. 10.

## FORM 17.

(Section 20 (4).)

CERTIFICATE OF JUDGE WHEN COMPLAINTS HAVE BEEN MADE.

I, \_\_\_\_\_, Judge of the County Court of the County of \_\_\_\_\_, pursuant to subsection 4 of section 20 of *The Voters' Lists Act*, do hereby certify that the above (as the case may be) is a correct copy of the first

and second parts of the list of voters for the year 19 , received by me from the clerk of the municipality of the of according to my revision and correction thereof, pursuant to the provisions of the said Act.

Dated day of , 19 .  
Judge.

R.S.O. 1927, c. 7, Sched. A, Form 16.

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FORM 18.

(Section 32 (1).)

ORDER FOR PAYMENT OF COSTS.

*The Voters' Lists Act.*

In the matter of the voters' list for the Municipality of , 19 , on the complaint or appeal of A. B., complaining of the name of C. D. being wrongly inserted in the said list (or, as the case may be, stating in brief the nature of the complaint.)

On the proceedings taken before me I find and adjudge that the name of the said C. D. was rightly inserted in the said list (or was wrongly inserted in the said list), and order that the said A. B. do pay the said C. D. his costs occasioned by the said complaint (or, and order that the said C. D. shall pay the said A. B. his costs incident to the said complaint) (or, and order that E. F., the Assessor of the said Municipality, do pay the said A. B. his costs incident to the said complaint) (or, as the case may be, stating it in brief), which I fix at the sum of \$ .

Dated day of , 19 .  
Judge.

R.S.O. 1927, c. 7, Sched. A, Form 17.

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FORM 19.

(Section 35.)

WRIT OF EXECUTION.

In the Division Court in the County of .  
Whereas on the day of , His Honour, Judge of the County Court of the County of , made his order that C. D. should pay to A. B. dollars as and for his costs sustained by him on the trial of a complaint against the voters' lists for the Municipality of in the said County, for 19 , (or as the case may be) made and prosecuted under the provisions of *The Voters' Lists Act*, which said costs have been fixed and allowed at the said sum. You are hereby required to levy of the goods and chattels of the said C. D., in the said County (not exempt from execution) the said money and your lawful fees, so that you may have the same within thirty days from the date hereof and pay the same over to the Clerk of this Court for the said A. B.

Given under the seal of the Court, this day of , 19 .

X. Y.,  
Clerk.

To V. W.,  
Bailiff of the said Court.

R.S.O. 1927, c. 7, Sched. A, Form 18.

## FORM 20.

(Section 40 (1).)

## APPLICATION TO JUDGE AGAINST DELINQUENT CLERK.

Pursuant to section 40 of *The Voters' Lists Act*, I, A. B., Clerk of the Peace for the County of \_\_\_\_\_, (or, a person entitled to be entered on the voters' list for the Municipality of \_\_\_\_\_, for 19\_\_\_\_), hereby inform His Honour the Judge of the County Court of the said County, that C. D., Clerk of the Municipality of \_\_\_\_\_, in the said County, has failed to perform the duties required of him as such Clerk by the said Act, in this, that he has not made out the list of voters for 19\_\_\_\_, for the said Municipality, within thirty days after the final revision and correction of the assessment roll thereof (or, has not delivered or transmitted printed copies of the voters' list for the said Municipality, for 19\_\_\_\_, to \_\_\_\_\_ and \_\_\_\_\_ or to any of them (or, as the case may be, stating in brief the duty not performed), according to the requirements of the Act; and I apply to you to enforce the performance of the duties aforesaid.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

A. B.,  
Clerk of the Peace.

R.S.O. 1927, c. 7, Sched. A, Form 19.

## FORM 21.

(Section 40 (3).)

## SUMMONS.

*The Voters' Lists Act.*

In the matter of the voters' list for the Municipality of \_\_\_\_\_, in the County of \_\_\_\_\_, for 19\_\_\_\_.

Whereas it appears by the application of A. B., the Clerk of the Peace for the said County (or, a person entitled to be entered on the said list) made to me, in pursuance of the said Act, that you have failed to perform certain duties required of you by the said Act, in this, that you have not made out the list of voters for 19\_\_\_\_, for the said Municipality, within thirty days after the final revision and correction of the assessment roll thereof (or, as the case may be, following the application); and whereas the said A. B., has applied to me to enforce the performance of the duties aforesaid;

You are hereby required to appear before me at \_\_\_\_\_ in \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_, and produce before me the assessment roll for 19\_\_\_\_, for the said Municipality, and any documents in your custody, power or control, relating to the assessment roll, or to the list aforesaid; and submit yourself for examination on oath.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

To C. D.,  
Clerk of the Municipality of \_\_\_\_\_.

Judge.

R.S.O. 1927, c. 7, Sched. A, Form 20.



## FORM 22.

(Section 71.)

## APPOINTMENT OF ENUMERATOR.

To (*insert name of enumerator*).Whose address is (*insert address*).and whose occupation is (*insert occupation*).

Know you that in pursuance of the authority given by section 71 of *The Voters' Lists Act*, I, the undersigned, in my capacity as Returning Officer for the Electoral District of..... do hereby appoint you to be one of the enumerators for Polling Subdivision No..... of the said Electoral District, to act as such enumerator in accordance with the provisions of Part IV of *The Voters' Lists Act* and to perform and have all the duties and powers imposed upon or exercisable by an enumerator under the said Act.

Given under my hand this.....day of.....

.....  
Returning Officer.1934, c. 63, s. 9 *part*.

## FORM 23.

(Section 71.)

## OATH OF ENUMERATOR.

I, the undersigned (*insert name of enumerator*) appointed one of the enumerators for Polling Subdivision No..... of the Electoral District of..... do solemnly swear (*or affirm*) that I will act faithfully in my said capacity of enumerator, without partiality, fear, favour or affection, and in every respect according to law. So help me God.

.....  
Enumerator.1934, c. 63, s. 9 *part*.

## FORM 24.

(Section 72.)

## POLLING SUBDIVISION BOOK.

Electoral District.....

Polling Subdivision No.....

Name of Street.....

No.	Name ( <i>family or surname first</i> )	Occupation or addition	Residence Street and No.	Remarks
-----	--	------------------------------	--------------------------------	---------

Names to follow in alphabetical order.

1934, c. 63, s. 9 *part*.

## FORM 25

(Section 73.)

## ENUMERATOR'S CERTIFICATE OF POLLING SUBDIVISION BOOK

Electoral District.....

Polling Subdivision No.....

I (*insert name of enumerator*) of the.....of.....  
 duly appointed an enumerator for Polling Subdivision No.....for  
 the Electoral District of.....  
 make oath and say:

This Polling Subdivision Book for Polling Subdivision No....., of the  
 Electoral District of....., contains a true  
 and correct list of the names, addresses and occupations of persons  
 appearing as qualified to vote for the pending Provincial election, as  
 compiled by me under the provisions of Part IV of *The Voters' Lists  
 Act*.

Sworn before me

at the City of.....

in the County or District of.....

this.....day of.....

Signature of enumerator.

A Commissioner for taking affidavits.

1934, c. 63, s. 9 part.

## FORM 26

(Section 74.)

## LIST OF COMPLAINTS OF PERSONS WRONGFULLY REGISTERED.

## Registrations Complained Against.

Electoral District.....

Polling Subdivision No.....

Name (family or surname first)	Occupation or addition	Residence Street and No.	Reasons for Complaint
--------------------------------------	------------------------------	--------------------------------	-----------------------------

And on the last page insert.

Dated the.....day of....., 19....

Signature of Complainant.

1934, c. 63, s. 9 part.

## FORM 27.

(Section 74.)

## AFFIDAVIT AS TO DISQUALIFICATION OF PERSONS REGISTERED.

Electoral District.....

Polling Subdivision No.....

I (*insert name of complainant*), of the.....of.....  
make oath and say:

1. I have been entered as a voter by one of the enumerators in Polling Subdivision No.....for the Electoral District....., and my name appears on the list of voters prepared by the said enumerator as entitled to vote at the pending election.

2. That there have been included in the list of voters prepared by the enumerator for Polling Subdivision No.....in the Electoral District of....., the persons whose names are set out in the attached list of complaints.

3. That I have good reason to believe and do verily believe that the said names should not appear upon the said list of voters for Polling Subdivision No.....in this Electoral District upon grounds which I will produce before the Revising Officer.

Sworn before me at the

.....of.....  
in the County or District of.....  
this.....day of.....

.....  
*Signature of Complainant.*.....  
*A Commissioner for taking affidavits.*1934, c. 63, s. 9 *part.*

## FORM 28.

(Section 75.)

## NOTICE TO VOTER OBJECTED TO

Electoral District.....

Polling Subdivision No.....

*To (set out name, address and occupation of voter as in list compiled by the enumerator.)*

Take notice that a complaint has been filed with me this day alleging that your name entered upon the list of voters by the enumerator of Polling Subdivision No.....in the Electoral District of.....has been wrongly entered thereon, for the following reason (*set out grounds of complaint*).

If you desire to appear before the Revising Officer to substantiate your right to have your name remain on such list of voters, you must appear before the Revising Officer appointed to revise the list at his sitting held at (*insert the date and hour and place of one of the days appointed for the sittings*).



If you or your representative do not appear before the Revising Officer and establish before him your right to have your name remain on the said list and answer such complaint, the Revising Officer will proceed to hear under oath the evidence as to the complaint, and if satisfied that your name should not remain on such list, he shall strike the same therefrom.

This notice is given pursuant to section 75 of *The Voters' Lists Act*.

Dated at . . . . ., this . . . . . day of . . . . ., 19 . . .

.....  
*Clerk to Revising Officer.*

1934, c. 63, s. 9 *part*.

# FORM 29.

(Section 87.)

## APPLICATION FOR REGISTRATION.

Electoral District of . . . . .

This application relates to

Surname . . . . .  
First name . . . . .  
Occupation . . . . .  
Address and residence . . . . .

### *Statement of Facts.*

1. The above-named was resident in this Electoral District at (*set out his address*) at the date of the issue of the writ of election.
2. The said person is a British subject of the full age of twenty-one years.
3. The said person has been resident in Canada during the last twelve months next preceding the day of polling.
4. The said person is not disqualified as a voter for any reason.
5. The said person is accordingly entitled to vote at the pending election of a member to serve in the Legislative Assembly, for this Electoral District, and is entitled to be entered on the Voters' List as a qualified voter.

### *Declaration and Request of Applicant in Person.*

I declare that the above statement of facts is correct, and request that my name be entered in the list of voters for Polling Subdivision No. . . . . in this Electoral District.

Dated this . . . . . day of . . . . ., 19 . . .

.....  
*Signature of Applicant.*

*Alternative Declaration and Request of Relative or Employer.*

I declare that I am the (*insert "relative" or "employer"*) of the person above described, that I believe the above statement of facts to be correct, and that the person above described is unable to attend in person for the purpose of making this application by reason of sickness or disability, or by reason of necessary, temporary, unavoidable and *bona fide* absence from the municipality.

I request that the name of the person above described be entered in the list of voters for Polling Subdivision No.....in this Electoral District.

Dated this.....day of....., 19...

.....  
Signature of Employer or Relative.

1934, c. 63, s. 9 *part.*

## FORM 30.

(Section 117.)

## OATH OF ENUMERATOR PREPARING VOTERS' LISTS IN UNORGANIZED TERRITORY.

I, \_\_\_\_\_, of the \_\_\_\_\_ of \_\_\_\_\_, in the District of \_\_\_\_\_ and Province of \_\_\_\_\_, the Enumerator whose duty it is under *The Voters' Lists Act*, to prepare the voters' lists in and for the Electoral District (or portion of the electoral district, *describing such portion*) of \_\_\_\_\_ in the Province of \_\_\_\_\_ do hereby solemnly swear that I will well and faithfully discharge the duties assigned to me by the said Act without favour or partiality; and that I will in all respects, to the best of my ability, conform to the said Act and to the law. So help me God.

Sworn before me, at the \_\_\_\_\_ of \_\_\_\_\_ in the \_\_\_\_\_ of \_\_\_\_\_, and Province of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 19 \_\_\_\_\_.

(District or County Judge, or as the case may be.)

R.S.O. 1927, c. 7, Sched. A, Form 21.